



Eric R. Greitens, Governor • Todd Sampsell, Acting Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

January 13, 2017

CERTIFIED MAIL – 7015 1730 0000 9427 8110
RETURN RECEIPT REQUESTED

Mr. James M. Lanzafame
Senior Environmental Technical Engineer
The Doe Run Company
Buick Resource Recycling Facility, LLC
18594 Highway KK
Boss, MO 65440

RE: Clarification of Requirements in the Approval of Class 1 Permit Modification with Prior Director Approval--Disposal of Asphalt in the On-Site Hazardous Waste Landfill
Buick Resource Recycling Facility, LLC, Boss, Missouri
EPA ID# MOD059200089

Dear Mr. Lanzafame:

The Missouri Department of Natural Resources (Department) hereby approves Buick Resource Recycling Facility, LLC's (BRRF) Class 1 Permit Modification request, dated November 7, 2016, with the following clarified modifications. The request was to utilize the on-site hazardous waste landfill for the disposal of asphalt from the facility, after proper characterization and treatment, if necessary.

The Department agrees with BRRF that this is a Class 1 Permit Modification requiring prior Director approval, according to Code of State Regulations 10 CSR 25-7.270(1), which incorporates Code of Federal Regulations 40 CFR 270.42(d)(1). We are approving the Class 1 Permit Modification request with modifications as follows:

- 1) Only asphalt originating on the permitted facility property may be disposed of in the hazardous waste landfill at the BRRF facility. Asphalt shall be characterized and treated as follows:
 - a) Proposed disposition of any waste asphalt originating from within a regulated hazardous waste management unit shall be requested via a Class I permit modification with prior Director's approval. This request shall specify how the



Recycled paper

waste asphalt will be characterized and, if necessary, treated prior to disposal and what documentation will be provided for the asphalt's ultimate disposition.

- b) Waste asphalt originating on the permitted facility property outside of any regulated hazardous waste management units shall go through the steps for characterization outlined in the approved Construction/Maintenance Soil Excavation Plan, dated July 16, 2007, or the most recent version of this plan approved by the Department. When this asphalt is removed, soil sample(s) from beneath the area shall be collected and analyzed according to this plan. A summary of the above activities shall also be reported to the Department in accordance with this plan.
- 2) BRRF shall notify the Department (preferably 15 days prior) of any excavation/removal of asphalt within 100 feet of an identified AOC/SWMU within the facility in accordance with the approved Construction/Maintenance Soil Excavation Plan, allowing the Department the opportunity to observe the operations. In the event of an unplanned repair, BRRF shall notify the Department as soon as practical.

BRRF must send a notice of this modification to everyone on their facility mailing list and the appropriate units of state and local government within 90 calendar days after the date of the original approval letter, according to 10 CSR 25-7.270(1), which incorporates 40 CFR 270.42(a)(1)(ii). BRRF must send a copy of the notice to the Department.

This permit modification may include conditions that you are not familiar with or that are different from or in addition to the conditions of your current permit. We would be pleased to meet with you to discuss any questions you may have related to the permit modification conditions. An appointment can be set up by contacting Mr. Nathan Kraus, P.E., of my staff at the Missouri Department of Natural Resources, Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65102-0176, by telephone at (573) 751-3553 or 1-800-361-4827, or by e-mail at nathan.kraus@dnr.mo.gov. Any follow-up in response to your meeting request, whether by telephone, in-person meeting, or on-site visit, is considered Compliance Assistance and will focus on explaining the permit modification conditions to you. Thank you.

Sincerely,

HAZARDOUS WASTE PROGRAM

[Original signed by Richard A. Nussbaum]

Richard A. Nussbaum, P.E., R.G.
Chief, Permits Section

RAN:nkt

Mr. James M. Lanzafame
Page 3

c: Mr. Mike Dandurand, Missouri State Coordinator, U.S. EPA Region 7
Ms. Julie Marks, P.E., Barr Engineering
Southeast Regional Office, Missouri Department of Natural Resources