



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

## DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

June 14, 2013

CERTIFIED MAIL – 7009 3410 0001 8933 2651  
RETURN RECEIPT REQUESTED

Mrs. Jami Gay  
Environmental, Health and  
Safety Manager  
Euticals, Incorporated  
2460 West Bennett Street  
Springfield, MO 65807

RE: Class 2 Permit Modification Approval  
Euticals, Incorporated, Springfield, Missouri  
EPA ID# MOD095038329

Dear Mrs. Gay:

The Missouri Department of Natural Resources (Department) hereby approves Euticals, Incorporated's (Euticals) Class 2 Permit Modification request, dated June 6, 2013. This modification request, which is a revision of the original request, dated October 2, 2012, includes the following changes:

- a. Wells ITD4 and ITO2R are added as Point of Compliance wells in Euticals' Missouri Hazardous Waste Management Facility (MHWMF) Part I Permit. These added wells are now part of Corrective Action Condition III.B., Point of Compliance, Table 2 – Point of Compliance Wells on page 25 of the MHWMF Part I Permit.
- b. The Groundwater Containment Control Performance Goals in MHWMF Part I Permit Corrective Action Condition V.A.1. through V.A.3., Intermediate Performance Goals on pages 41-42 of the MHWMF Part I Permit have been updated. The following revised standards replace the previous containment performance goals in the MHWMF Part I Permit.
  1. The groundwater level within primary extraction wells SXD1 and ITD4, specified in the MSAP, shall be maintained at 30 feet or greater below the well head measurement reference point.

The groundwater level within primary extraction well ITO2R, specified in the MSAP, shall be maintained at 25 feet or greater below the well head measurement reference point.

Compliance with this performance standard shall be determined by calculation of the 30-day rolling average groundwater level for each specified well. The groundwater level shall be calculated by subtracting the 30-day rolling average groundwater elevation for the well from the wellhead measurement reference elevation for that well. The value of this calculation shall be equal or greater than the specified compliance level for each primary well.

2. The groundwater containment/control system shall maintain a positive groundwater flow potential (hydraulic gradient) from the adjacent streams towards the extraction wells, as expressed in well pairs SXD1/ITO6 and ITD4/15B1. The average hydraulic gradient in these wells shall be, at a minimum, 0.15 foot/foot and 0.25 foot/foot, respectively, with flow inward toward the pumping wells and away from the creeks.

Compliance with this performance standard shall be determined by calculating these hydraulic gradients by using the difference of the 30-day rolling average water level elevation for the specified well pairs divided by the horizontal distance between them in feet.

3. The groundwater containment/control system shall maintain a groundwater potentiometric surface elevation at the edge of the stream transition zone (as currently defined by Wells ITO2 and ITO6) that averages 0.25 feet lower than the stream water elevation at the closest point. The elevation difference shall be calculated by determining the value of the 30-day rolling average of the B1 groundwater potentiometric surface elevation at the edge of the stream transition zone and subtracting that value from the 30-day rolling average value for the stream water level elevation at the closest point (as defined by the water elevations measured at the Jordan Creek Environmental Bridge). The value of this calculation shall be negative 0.25 feet or greater (i.e., essentially representing a “losing” stream condition).

Our decision to approve the Class 2 Permit Modification was based on a thorough technical review of the modification request and federal and state laws and regulations. Euticals conducted the public participation activities for the Class 2 Permit Modification, as described in Code of Federal Regulations 40 CFR 270.42(b), as incorporated by reference in Code of State Regulations 10 CSR 25-7.270(2)(D). The 60-day public comment period began October 27, 2012, and ended December 24, 2012. The Department did not receive any comments on the modification request during the public comment period. The Department mailed a notification letter to everyone on the facility mailing list and the appropriate units of state and local government, as required in 40 CFR 270.42(f)(1), incorporated by reference in 10 CSR 25-7.270(2)(D). A copy of the letter is included with this letter.

The approved Class 2 Permit Modifications are effective immediately. Please be aware that any parties adversely affected or aggrieved by the Department’s decision to approve the Class 2 Permit Modifications may be entitled to pursue an appeal before the Administrative Hearing Commission, according to 40 CFR 270.42(f)(2), incorporated by reference in 10 CSR 25-7.270(2)(D). The

Mrs. Jami Gay  
Page 3

petition must be filed with the Administrative Hearing Commission by July 15, 2013, according to the procedures outlined in 10 CSR 25-2.020 and Missouri Revised Statutes, Sections 260.395.11 and 621.250, RSMo. If the petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed. If it is sent by any other method, it will be deemed filed on the date it is received by the Administrative Hearing Commission. Appeals must be sent to the Administrative Hearing Commission, Truman State Office Building, Room 640, 301 West High Street, P.O. Box 1557, Jefferson City, MO 65102, or by fax to (573) 751-5018. The Department also asks that a copy of the petition be provided to Mr. David Lamb, Director, Missouri Department of Natural Resources, Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65102-0176, or by fax to (573) 751-7869.

If you have questions regarding this letter or the enclosed documents, please contact Meagan Prestegard, 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 meagan.prestegard@dnr.mo.gov. Thank you.

Sincerely,

HAZARDOUS WASTE PROGRAM

[Original signed by David J. Lamb]

David J. Lamb  
Director

DJL:mpm

Enclosure

c: Senator Roy Blunt, U.S. Senate  
Senator Claire McCaskill, U.S. Senate  
Congressman Billy Long, U.S. House of Representatives  
Senator Bob Dixon, Missouri Senate  
Representative Eric Burlison, Missouri House of Representatives  
Mayor Bob Stephens, City of Springfield  
Presiding Commissioner Jim Viebrock, Greene County  
Mr. Wray Rohrman, Project Manager, U.S. EPA Region 7  
Southwest Regional Office, Missouri Department of Natural Resources

Mrs. Jami Gay  
Page 4

bc: Heidi Rice, HWP-Permits Section