



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

## DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

April 18, 2012

CERTIFIED MAIL – 7009 2820 0000 7543 7176  
RETURN RECEIPT REQUESTED

Mr. Jon Bennett  
President  
Hazmat, Incorporated  
1650 Spruce Street, Suite 410  
Riverside, CA 92507

RE: Class 1 Permit Modification with Prior Director's Approval  
Change of Ownership and Operational Control  
Waste Express, Incorporated/Hazmat, Incorporated  
6300 Stadium Drive, Kansas City, Missouri  
EPA ID# MOD981123391

Dear Mr. Bennett:

The Missouri Department of Natural Resources (Department) approves Hazmat, Incorporated's Class 1 Permit Modification request, dated February 28, 2012. The request was to change ownership and operational control of the permitted facility referenced above from Waste Express, Incorporated, to Hazmat, Incorporated. The Department also reviewed the Habitual Violator Disclosure Statement, dated February 28, 2012, a *Resource Conservation and Recovery Act* Subtitle C Site Identification Form, dated February 28, 2012, and a purchase agreement letter, dated February 28, 2012, (with Waste Express, Incorporated, concurrence signature dated March 9, 2012). The Department found the information to be complete.

We are approving the Class 1 Permit Modification with the following conditions:

1. Hazmat, Incorporated, shall provide documentation of the legal transfer of real property by submitting copies of all documents filed with the Jackson County Recorder of Deeds in conjunction with this transfer of ownership. The extent of documentation shall include the real property that is part of the proposed expansion contemplated by the Class 3



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Permit Modification request dated March 8, 2011, unless Hazmat, Incorporated, intends to withdraw that permit modification request. Such documentation shall be submitted to the Department within 30 days of the date of this letter.

2. Hazmat, Incorporated, shall be responsible for permit compliance as operator beginning the day after the date of this approval letter and as owner after the date of the legal transfer of real property. The applicable permit, Missouri Hazardous Waste Management Facility Permit Number MOD981123391 was issued February 3, 1997, and has been modified on numerous occasions (including January 19, 1998, January 22, 1998, January 26, 1998, July 29, 1998, April 21, 2008, July 3, 2008, July 15, 2008, and March 26, 2010).
3. Hazardous waste storage and/or fuel blending cannot be performed within the existing truck loading bay. Note: See December 3, 2010, permit modification denial letter for more information.
4. Bulk tank storage is not permitted. New tanks systems may be installed only after review and approval of the Class 3 Permit Modification request, or permit renewal.
5. Hazmat, Incorporated, shall be responsible for completing closure of the TT1/TT2 tank system which includes the secondary containment area located on the southwestern corner of the facility. The Department is currently reviewing an August 10, 2010, Class 1 Permit Modification request regarding this partial closure.
6. Hazmat, Incorporated, must send a notice of the 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 this letter, as outlined in Code of Federal Regulations 40 CFR 270.42(a)(1)(ii), incorporated by reference in Code of State Regulations 10 CSR 25-7.270(1). Hazmat, Incorporated, must send a copy of the notice to the Department.
7. Hazmat, Incorporated, must submit a Notification of Regulated Waste Activity Form to the Department within 30 calendar days of the date of this letter. The form is available on the Department's website at [www.dnr.mo.gov/forms/780-1164.pdf](http://www.dnr.mo.gov/forms/780-1164.pdf). Please note that the \$100 fee required with this form is not required for updating information on the form, such as a new name or address.

Please contact Mr. Chris Wieberg of the Department's Water Protection Program to discuss the procedures for transferring the Missouri State Operating Permit for the facility. Mr. Wieberg can be reached by telephone at (573) 751-1300, or by e-mail at [chris.wieberg@dnr.mo.gov](mailto:chris.wieberg@dnr.mo.gov).

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This facility does not have a solid waste processing permit. A solid waste processing permit will be required if you intend to store and transfer non-hazardous industrial waste. Please contact Darrell Hartley, P.E., of the Department's Solid Waste Management Program at (573) 751-5401 to obtain the appropriate permit prior to processing solid waste at the facility.

Waste Express, Incorporated, has signed a Settlement Agreement whereby it agrees to pay the outstanding penalty of \$47,500. It is our understanding the outstanding penalty will be paid via wire transfer at the closing of Hazmat, Incorporated's purchase of Waste Express, Incorporated, which is scheduled to occur on April 18, 2012. If this payment does not occur, then Hazmat, Incorporated, will be responsible for any outstanding penalty.

If you have questions regarding the hazardous waste permitting aspects of this letter, please contact Steve Jaques, 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 [steve.jaques@dnr.mo.gov](mailto:steve.jaques@dnr.mo.gov). Thank you.

Sincerely,

HAZARDOUS WASTE PROGRAM

[Original signed by Richard A. Nussbaum]

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

RAN:sjm

c: Ms. Mary Grisolano, Project Manager, U.S. EPA Region 7  
Darrell Hartley, P.E., Solid Waste Management Program, Missouri Department of Natural Resources  
Mr. Chris Wieberg, Water Protection Program, Missouri Department of Natural Resources  
Kansas City Regional Office, Missouri Department of Natural Resources