



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

May 2, 2014

CERTIFIED MAIL – 7004 1160 0000 8177 7313
RETURN RECEIPT REQUESTED

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

RE: Class 1 Permit Modification - Partial Closure Plan for Tanks TT1 and TT2
Hazmat, Incorporated, Kansas City, Missouri
EPA ID# MOD981123391

Dear Mr. Bennett:

The Missouri Department of Natural Resources (DNR) hereby approves Waste Express, Incorporated's (currently Hazmat, Incorporated, or Hazmat) Class 1 Permit Modification request, dated August 6, 2010, with conditions. The modification request was submitted for the partial closure plan for hazardous waste storage tanks TT1 and TT2, including ancillary equipment and structures.

Prior to the DNR approval of the August 2010 partial closure plan, Waste Express, Incorporated, decommissioned the hazardous waste storage tanks TT1 and TT2 without authorization. To DNR's knowledge, the following closure-related items for Tanks TT1 and TT2 have been completed at Hazmat:

- Both hazardous waste storage tanks, TT1 and TT2, were dismantled and cut into sections with a reciprocating saw. However, the DNR understands the tank sections were not pressure washed or otherwise decontaminated during this process.
- Most of the scrap metal was shipped offsite to a scrap dealer.
- Solid residues generated while cutting up the tanks and from sweeping the containment area were collected in a 55-gallon drum which is still present at Hazmat.

The DNR personnel visited the facility on November 18, 2010, and observed several pieces of scrap metal from the tanks onsite (e.g., a manhole cover) in addition to remnants of the piping system hanging from the ceiling. Partial closure activities are still required for the remaining portions of Tanks TT1 and TT2 and for the secondary containment area. These remaining



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activities include high-pressure washing and rinsing of the secondary containment area, concrete coring, sub-slab soil sampling, and rinsate sampling. In addition, Hazmat must properly manage and dispose of the remaining scrap metal and all residuals generated in association with the partial closure.

We are approving the Class 1 Permit Modification requiring prior director approval with the following conditions. Hazmat must follow the closure activity procedures outlined in Waste Express, Incorporated's Class 1 Permit Modification request, dated August 6, 2010, for the remaining portions of the partial closure of Tanks TT1 and TT2, in addition to the modifications and/or clarifications listed below:

1. Hazmat must submit detailed documentation to the DNR of the unauthorized closure activities that were performed on the hazardous waste storage tanks TT1 and TT2. Although the DNR has received some correspondence regarding documentation of these closure activities, the DNR would like to obtain a comprehensive overview of everything done in order to close TT1 and TT2 up to this point in time. This information shall be submitted to the DNR as part of the partial closure certification report, as required by Condition 13.
2. Hazmat shall follow health and safety procedures during closure, as specified in the approved closure plan, dated April 1997, which is part of the consolidated permit application, or shall submit revised health and safety procedures for the remaining closure activities, if preferred. The August 6, 2010, partial closure plan also specifies that the contractor selected to implement closure activities of Tanks TT1 and TT2 will be required to prepare a health and safety plan.
3. Waste Express, Incorporated (currently Hazmat), indicated that used steel from the demolition of Tanks TT1 and TT2 was shipped to a scrap dealer on November 5, 2010, (see letter from Mr. Philip Fahlk to Mr. Boyd McDowell, received by the DNR on December 17, 2010). Hazmat shall submit documentation from the scrap dealer to verify their receipt of this shipment. This documentation shall be submitted to the DNR along with the closure certification report as required by Condition 13.
4. Hazmat shall follow the August 6, 2010, partial closure plan for the removal of any remaining piping and tank section scrap metal including the requirement that the interior surface of the remaining piping shall be decontaminated by flushing with a detergent-water solution or by use of a pipeline pig.
5. With regard to the 55-gallon drum containing solid residue from the interior surfaces of the tanks, Hazmat shall manage the residue as a hazardous waste and provide a copy of the uniform hazardous waste manifest to the DNR to verify shipment to a permitted *Resource*

Conservation and Recovery Act (RCRA) hazardous waste treatment, storage, and disposal (TSD) facility. A copy of the manifest shall be submitted to the DNR along with the closure certification report as required by Condition 13.

Alternatively, Hazmat indicated during a meeting held at the DNR on March 13, 2014, that sampling of this drum has already taken place. Based on the results of the sampling, Hazmat may dispose of the drum contents properly, in accordance with the applicable laws and regulations. If this alternate procedure is used, Hazmat shall submit the results of this sampling and characterization to the DNR as part of the closure certification report as required by Condition 13, along with documentation of the proper disposal of the material.

6. With regard to rinsate generated during the remaining decontamination activities, Hazmat shall manage the rinsate as a hazardous waste and provide a copy of the uniform hazardous waste manifest(s) to the DNR to verify shipment to a permitted RCRA hazardous waste TSD facility. A copy of the manifest shall be submitted to the DNR along with the closure certification report as required by Condition 13.

Alternatively, Hazmat may characterize the rinsate to determine if it is a hazardous waste and dispose of the rinsate properly, in accordance with the applicable laws and regulations. If this alternate procedure is used, Hazmat shall submit the results of this sampling and characterization to the DNR as part of the closure certification report as required by Condition 13, along with documentation of the proper disposal of the rinsate.

7. As outlined in the August 6, 2010, partial closure plan, rinsate samples will be utilized to determine if the concrete is considered “clean closed.” The August 6, 2010, partial closure plan states on page 8: *“Rinsate samples from the Tank containment floor will be analyzed for all of the waste codes accepted by Waste Express.”* and *“If the analysis of the rinsate samples taken shows that none of the constituents [were] detected at levels above the current Standards, or the background levels of constituents in the Kansas City, Missouri municipal water used for the cleaning process, whichever is higher, the concrete shall be deemed clean closed.”*

The rinsate samples from the tank containment floor shall be analyzed using the methods listed in Appendix A of the partial closure plan for all hazardous waste constituents that have been accepted at the facility. In order for the tank containment floor to be considered “clean” for closure purposes, the results for all constituents of concern (COCs) will need to be below the appropriate U.S. Environmental Protection Agency (EPA) Region 3 Regional Screening Level (RSL) values for tap water. For all COCs, the results shall be undiluted, if possible, and the practical quantitation limits/non-detects shall have detection limits below the appropriate EPA Region 3 standard. For metals of concern only, a background sample of rinse water may be taken for comparison purposes.

8. Testing of the concrete shall only be required after cleaning activities are completed, if visual observations indicate the concrete appears to be contaminated during the coring process or based on readings from an organic vapor analyzer. If there are indications of concrete contamination during the coring process, then the concrete shall be tested for volatile organic compounds (VOCs) by SW-846 Method 8260B and semivolatiles by SW-846 Method 8270D.
9. With regard to sub-slab soil sampling, Hazmat shall collect and analyze soil samples from the following locations, at a minimum:
 - a. Within the western half of the former footprint of Tank TT1.
 - b. Within the western half of the former footprint of Tank TT2.
 - c. Below the center of the sump.
 - d. Outside of the containment area on the west side at a low spot as near as practical to the water meter.
 - e. A randomly picked location within the containment area, focusing on any cracked or stained areas.

The soil should be sampled in two depth increments (between 1-2 feet (ft) below ground surface (bgs) and between 2-4 ft bgs). Additional samples shall also be collected if the sub-slab soils are observed to be visibly impacted by contaminants during sampling activities or if vapor measurements should indicate evidence of potentially significant contamination.

10. The soil samples shall be analyzed using the methods listed in Appendix A of the August 6, 2010, partial closure plan/permit modification request for all hazardous waste constituents that have been accepted at the facility. Any exceptions to this list will need to be approved by the DNR prior to sampling.

The COCs detected in the soil samples shall be compared to the EPA Region 3 RSLs (residential soil or protection of groundwater levels, as appropriate) to determine if “clean closure” has been achieved. For all COCs, the results shall be undiluted, if possible, and the practical quantitation limits/non-detects shall have detection limits below the appropriate EPA Region 3 standard. Soil analytical results for metals of concern may be compared to levels in the “Element Concentrations in Soils and other Surficial Materials for the Conterminous United States,” as specified in the partial closure plan.

11. Hazmat indicated in a meeting with the DNR on March 13, 2014, that they would prefer to sample the cracked concrete in the truck bay during the same sampling event in which they will be sampling the TT1/TT2 secondary containment area. Hazmat may choose to take core and sub-slab soil samples from the truck bay during the same time period. Hazmat should

take at least one concrete core sample in the truck bay area, along/below the mid-point crack in the truck bay. The concrete core sampling procedures and analyses specified in the August 6, 2010, partial closure plan should be followed. The concrete core sample(s) should be tested for VOCs by SW-846 Method 8260B, semivolatiles by SW-846 Method 8270D, metals by SW-846 Method 6010C, and for pH.

Sub-slab soil samples should also be taken from beneath the concrete core and should be sampled in two depth increments (between 1-2 ft bgs and between 2-4 ft bgs). The soil samples shall be analyzed for the same constituents as the other soil samples taken from beneath the TT1/TT2 secondary containment area concrete pad, in accordance with the August 6, 2010, partial closure plan and the modifications required in this comment letter.

In addition, Hazmat shall follow the equipment decontamination and quality control sampling procedures as specified in the August 6, 2010, partial closure plan. The results from this sampling of the truck bay area shall be submitted as part of a modification request for the proposal to bulk hazardous waste in the truck bay or as part of the closure certification report as required by Condition 13.

12. Hazmat shall notify the DNR in writing at least 14 days prior to the anticipated start date of secondary containment area decontamination and sampling activities.
13. Within 60 days of completion of the partial closure activities, Hazmat shall submit a closure certification report to the DNR in accordance with 10 CSR 25-7.264(2)(G), as incorporating and modifying 40 CFR Part 264 Subpart G. The report shall certify that the partial closure activities took place in accordance with the specifications in the approved closure plan, dated August 6, 2010, and in accordance with the conditions outlined in this letter. The report shall also include photographs detailing all work completed to accomplish the closure and a qualified professional engineer's inspection report. The engineer's inspection report shall, at a minimum, contain the following information:
 - a. Activities conducted during inspection(s).
 - b. Field reports documenting each on-site visit.
 - c. A list of in-house records that were reviewed.
 - d. Results of all analyses.
 - e. Shipping documents for any waste materials sent off site for disposal or treatment.
14. If clean closure cannot be achieved following the procedures outlined in the August 6, 2010, partial closure plan in addition to the procedures specified in this letter, Hazmat shall submit a revised closure plan to the DNR for review and approval as required by 40 CFR 270.42.

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Hazmat 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) and modified by 10 CSR 25-7.270(2)(A)6 and 10 CSR 25-7.270(2)(B)10. Hazmat must also send a copy of the notice provided to their facility mailing list to the DNR.

If you have questions regarding this letter, please contact Meagan Prestegard, P.E., Environmental Engineer, 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 Richard A. Nussbaum]

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

RAN:mpm

c: Mr. Bryan Campbell, General Manager, HazMat, Incorporated
Ms. Mary Grisolano, Project Manager, U.S. EPA Region 7
Kansas City Regional Office