



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

July 24, 2014

CERTIFIED MAIL – 7004 1160 0000 8177 7504
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
Bulking Liquid Hazardous Waste in the Truck Bay
Hazmat, Incorporated, Kansas City, Missouri
EPA ID# MOD981123391

Dear Mr. Bennett:

The Missouri Department of Natural Resources (DNR) hereby approves Hazmat, Incorporated's (Hazmat) Class 1 Permit Modification request, e-mailed on April 25, 2014, and received on July 23, 2014, with conditions. The modification request was to bulk liquid hazardous waste in the truck bay by transferring the material from drums into a vacuum truck for the purpose of efficient off-site transportation and eventual disposal. The truck bay is not currently a permitted storage unit. Hazmat plans to place hazardous waste drums in the truck bay area and transfer compatible wastes from these drums into a vacuum truck within a few hours during business hours.

The DNR's determination is that this operation falls under the U.S. Environmental Protection Agency Region 7 (EPA) guidance policy which allows for loading and unloading of hazardous waste in a non-permitted unit if these operations take place in less than a 24-hour period. Please see the enclosed EPA policy letter dated April 7, 1989, and the Missouri rulemaking document dated March 15, 1996, specifically page 727. This EPA policy was part of the basis for the current Missouri Code of State Regulations [10 CSR 25-7.264(2)(A)3], which as part of recent "no stricter than federal" legislation, becomes null and void as of December 31, 2015, if not



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already removed from the CSR at an earlier date via the state rulemaking process. However, the EPA policy behind the rulemaking still applies to Hazmat's situation.

Hazmat plans to bulk a variety of hazardous wastes, including ignitable waste, in its truck bay. According to a map submitted to the DNR on May 13, 2014, both the hazardous waste drums in the truck bay and the tanker truck will be located more than 50 feet (ft) away from Hazmat's property line. In addition, the truck bay will have adequate secondary containment for the proposed tanker truck size to be utilized and will have a roof to mitigate precipitation, but the truck bay will not be fully enclosed.

We are approving the Class 1 Permit Modification request requiring prior director approval with the following conditions:

1. Based on Hazmat's explanation in the modification request, this bulking operation does not constitute fuel blending. The stated purpose of the bulking operation is to provide for more efficient transportation and disposal of compatible hazardous wastes. Selective blending of hazardous waste to meet a fuel specification is not allowed pursuant to this approval; however, there is nothing preventing transportation of bulked hazardous waste to an appropriate hazardous waste facility for use as fuel. If the situation changes and Hazmat plans to conduct fuel blending in the truck bay, Hazmat shall submit a permit modification request for fuel blending activities to the DNR to become permitted for treatment in containers. Hazmat may not start any such fuel blending activities at the facility until the DNR approves the permit modification request.
2. Hazmat shall follow the sampling requirements of the May 2, 2014, Class 1 Permit Modification – Partial Closure Plan for Tanks TT1 and TT2 letter from the DNR to sample the truck bay prior to repairing the area as specified in the permit modification request.
3. Hazmat shall only be permitted to use a 3000 gallon vacuum truck for hazardous waste bulking in the truck bay and shall ensure that all portions of the 3000 gallon tank associated with the vacuum truck are at a distance of at least 50 ft from the property line.
4. Hazmat shall not store hazardous waste in the truck bay (in either the vacuum truck or in drums) overnight or for more than 24 hours.
5. Hazmat shall notify the DNR of all modifications made to the truck bay and submit a certification to the DNR that the modifications to the truck bay were completed according to the specifications as described in the permit modification request, within 30 days of completion.

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Hazmat 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 this letter, as outlined in 10 CSR 25-7.270(1), 10 CSR 25-7.270(2)(A)6, and 10 CSR 25-7.270(2)(B)10 incorporating Code of Federal Regulations [40 CFR 270.42(a)(1)(ii)]. Hazmat must send a copy of the notice to the DNR.

If you have questions regarding this letter, please contact William Fanska, 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 bill.fanska@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:wfm

Enclosures

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