



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

## DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

December 30, 2013

Mr. Bradley T. Meyr  
Facility Manager  
Lone Star Industries, Incorporated  
d.b.a. Buzzi Unicem USA  
2524 South Sprigg Street  
Cape Girardeau, MO 63703-8024

RE: Class 1 Permit Modification Without Prior Director's Approval  
Replace or Upgrade Agitator on Storage Tank Number 5  
Lone Star Industries, Incorporated, Cape Girardeau, Missouri  
EPA ID# MOD981127319

Dear Mr. Meyr:

The Missouri Department of Natural Resources (Department) received Lone Star Industries, Incorporated's (Lone Star) Class 1 Permit Modification notice, dated October 1, 2013. The notification was to replace or upgrade the agitator on storage tank number 5. The Department agrees with Lone Star that this would be a Class 1 Permit Modification not requiring prior director approval per 40 CFR 270.42 Appendix I A.3., incorporated by reference in 10 CSR 25-7.270(1).

Due to the shutdown of the tank and past practices, Lone Star is also modifying some of the piping layout with additional valves and flanges. These additions slightly change Lone Star's Subpart BB inspection content: According to Appendix I of 40 CFR 270.42.B.4., changes to the frequency or content of an inspection schedule can potentially be interpreted as requiring a Class 2 Permit Modification. The Department understands that similar past requests, (i.e., December 6, 2010, and the January 6, 2011, response), were submitted as a Class 1 modification without prior Director approval. However, due to the slight changes to the Subpart BB inspection content, the Department would prefer that any future changes of this nature be submitted as a Class 1 Permit Modification with prior Director's approval. This will allow the Department the ability to approve the requested change prior to implementation and track the updated Subpart BB change documentation.



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Lone Star 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 change was put into effect, as outlined in 40 CFR 270.42(a)(1)(ii), incorporated by reference in 10 CSR 25-7.270(1). Lone Star must send a copy of the notice to the Department.

If you have questions regarding this letter, please contact Mr. Nathan Kraus, Project Manager, 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](mailto:nathan.kraus@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:nkd

c: Mr. Ken Herstowski, P.E., Project Manager, U.S. EPA Region 7  
Southeast Regional Office, Missouri Department of Natural Resources