



June 15, 2009

CERTIFIED MAIL – 7004 1160 0000 8178 4021
RETURN RECEIPT REQUESTED

Mr. David R. Zoghby
Vice President and Business Director
EBV Explosives Environmental Company
P.O. Box 1386
Joplin, MO 64802

RE: Class 1 Permit Modification Without Prior Director's Approval
EBV Explosives Environmental Company (EBVEEC), Joplin, Missouri
EPA ID# MOD985798164

Dear Mr. Zoghby:

This letter is to notify you that the Missouri Department of Natural Resources (Department) reviewed EBVEEC's Class 1 permit modification request, dated May 19, 2009. The request was to update the Contingency Plan for the facility. This modified plan replaces the plan located in Appendix 9-1 of the EBVEEC approved permit application.

The Department agrees with EBVEEC that this is a Class 1 permit modification not requiring prior director approval. EBVEEC 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 change was put into effect, as outlined in Code of Federal Regulations 40 CFR 270.42(a)(1)(ii). EBVEEC must send a copy of the notice to the Department.

If you have any questions regarding this letter, please contact Mr. Richard Hock, of my staff, at the Missouri Department of Natural Resources, Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65102-0176, or by phone at (573) 751-3553 or 1-800-361-4827, or by e-mail at richard.hock@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:rhm

c: Ken Herstowski, P.E., Project Manager, U.S. EPA Region VII
Southwest Regional Office