



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

September 5, 2014

CERTIFIED MAIL – 7004 1160 0000 8177 7566
RETURN RECEIPT REQUESTED

Mr. David R. Zoghby
Senior Director of Marketing & Commercial
Contracts
EBV Explosives Environmental Company
dba General Dynamics Ordnances and Tactical
Systems - Munitions Services
P.O. Box 1386
Joplin, MO 64802

RE: Class 2 Permit Modification Request to Add New Permitted Feed Materials and Increase
Hazardous Waste Storage Capacity
EBV Explosives Environmental Company, Joplin, Missouri
EPA ID# MOD985798164

Dear Mr. Zoghby:

The Missouri Department of Natural Resources (DNR) hereby approves, with conditions, EBV Explosives Environmental Company, doing business as General Dynamics Ordnances and Tactical Systems – Munitions Services (EBV), Class 2 Permit Modification request, dated February 17, 2014, with supplemental information dated April 2, 2014, and April 4, 2014. The request was to modify their Missouri Hazardous Waste Management Facility Part I Permit by adding Extended Range MLRS (ER-MLRS) and Guided MLRS (GMLRS) Rocket Motors to the feed materials currently permitted to be treated in Building #3 and to increase the hazardous waste storage capacity at the facility by 25 percent or less. Our decision is based on a thorough technical review of the modification request, applicable federal and state laws and regulations, and all comments received during the public comment period.

The addition of ER-MLRS and GMLRS to the feed materials permitted to be treated in Building #3 is a Class 2 Permit Modification according to Code of State Regulations [10 CSR 25-7.270(1)], which incorporates Code of Federal Regulations [40 CFR 270.42, Appendix I,

L(6)(b)]. The increase in the hazardous waste storage capacity at the facility by 25 percent or less is a Class 2 Permit Modification according to 10 CSR 25-7.270(1), which incorporates 40 CFR 270.42, Appendix I, M(1)(b). We are approving the Class 2 Permit Modification request with the following conditions:

1. EBV shall only store ammunition, rocket motors, and/or their components, in Annex 2A where the explosive materials in the devices are fully enclosed in containers and/or cases. EBV shall not store any containers, cases, or other storage media in Annex 2A that contains any free liquids, non-explosive solids, sludges, powders, trash, or other debris.
2. EBV shall store no more than 100,000 pounds (lbs) net explosive weight in Magazine 2 and the attached Annex 2A combined.
3. EBV shall restrict the feed rate of total Waste Feed Weight to the Propellant Thermal Treatment Chambers (PTTCs) in Building #3 to no more than 1964 pound per hour gross weight. Compliance with this Waste Feed Weight limitation shall be based on an hourly rolling average using 1-minute periods and shall include the combined weights of all ER-MLRS, GMLRS, and MLRS motors being processed in the Propellant Thermal Treatment Units.
4. EBV shall record and maintain records of the 1-minute period total Waste Feed Weight to the PTTCs in Building #3 and the calculations of the hourly rolling average for at least the latest three year period in the operating record and provide the information to the DNR upon request.
5. Within 60 calendar days after the date of this letter, EBV shall:
 - a. Submit to the DNR for review and evaluation, draft financial assurance instrument(s) and related documents to reflect the increase in financial assurance required by these approved modifications.
 - b. Submit to the DNR, updated sections of the permit application that are affected by this permit modification, for example the Closure Plan, Storage Area descriptions, and Inspection Schedules/Plans, etc.
6. Within 90 calendar days after the date of this letter, EBV shall submit to the DNR for approval, a sampling plan for the bag house ash and blowdown water from the air pollution control equipment to ensure that the levels of heavy metals in both wastes are still non-hazardous.

EBV conducted the public participation activities for the Class 2 Permit Modification request, as described in 10 CSR 25-7.270(2)(D), which incorporates 40 CFR 270.42(b). The 60-day public

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comment period began February 18, 2014, and ended April 19, 2014. EBV held a public meeting about the modification request on March 12, 2014. We considered and responded in writing to all comments made on the modification request during the public comment period. The DNR mailed a notification letter to everyone on the facility's mailing list, the appropriate units of state and local government, and everyone who submitted written comments, as required in 10 CSR 25-7.270(2)(D), which incorporates 40 CFR 270.42(f)(1). The various letters are included with this letter.

The approved Class 2 Permit Modifications are effective immediately. Please be aware that any parties adversely affected or aggrieved by the DNR's decision to approve the Class 2 Permit Modifications may be entitled to pursue an appeal before the Administrative Hearing Commission, according to 10 CSR 25-7.270(2)(D), which incorporates 40 CFR 270.42(f)(2). The petition must be filed with the Administrative Hearing Commission by October 6, 2014, according to the procedures outlined in 10 CSR 25-2.020 and Missouri Revised Statutes, Sections 260.395.11 and 621.250, RSMo. If the petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed. If it is sent by any other method, it will be deemed filed on the date it is received by the Administrative Hearing Commission. Appeals must be sent to the Administrative Hearing Commission, Truman State Office Building, Room 640, 301 West High Street, P.O. Box 1557, Jefferson City, MO 65102, or by fax to (573) 751-5018. The DNR also asks that a copy of the petition be provided to Mr. David J. Lamb, Director, Missouri Department of Natural Resources, Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65102-0176, or by fax to (573) 751-7869.

If you have questions regarding this letter or the enclosed documents, please contact Mr. Jiayi Liu 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 jiayi.liu@dnr.mo.gov. Thank you.

Sincerely,

HAZARDOUS WASTE PROGRAM

[Original signed by]

David J. Lamb
Director

DJL:jlm

Enclosures

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- c: Senator Roy Blunt, U.S. Senate
- Senator Claire McCaskill, U.S. Senate
- Congressman Billy Long, U.S. House of Representatives
- Senator Ron Richard, Missouri Senate
- Representative Tom Flanigan, Missouri House of Representatives
- Mayor Mike Harris, City of Carthage
- Mayor Michael Seibert, City of Joplin
- Presiding Commissioner John Bartosh, Jasper County
- Kenneth Herstowski, P.E., Project Manager, U.S. EPA Region 7
- Southwest Regional Office, Missouri Department of Natural Resources