



Jeremiah W. (Jay) Nixon, Governor • Harry D. Bozoian, Director

DEPARTMENT OF NATURAL RESOURCES

dnr.mo.gov

December 2, 2016

CERTIFIED MAIL – 7014 1200 0000 4389 3444
RETURN RECEIPT REQUESTED

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

RE: Approval of Class 2 Permit Modification
Adding New Limitation for Storage of Class 1.3 Explosives in Magazines
EBV Explosives Environmental Company, Joplin, Missouri
EPA ID# MOD985798164

Dear Mr. Zoghby:

The Missouri Department of Natural Resources (Department) hereby approves EBV Explosives Environmental Company's (EBV) Class 2 Permit Modification request, dated July 1, 2016. The modification request was to add a limitation for the storage of up to 250,000 pounds net explosive weight of Class 1.3 explosives in the facility's magazines. EBV's Missouri Hazardous Waste Management Facility Part I Permit, dated October 23, 2002, currently allows for storage of 100,000 pounds net explosive weight, based on Class 1.1 explosives. Due to the nature of Class 1.3 explosives, the storage of Class 1.3 explosives will not increase the diameter of the existing blast circles for these magazines.

The Department agrees with EBV that this is a Class 2 Permit Modification, according to Code of State Regulations 10 CSR 25-7.270(1), which incorporates by reference Code of Federal Regulations 40 CFR 270.42, Appendix I, M.5.b. EBV conducted the public participation activities for the Class 2 Permit Modification request, as required by 10 CSR 25-7.270(1), which incorporates by reference 40 CFR 270.42(b). The 60-day public comment period began

July 6, 2016, and ended September 4, 2016. EBV held a public meeting about the modification request on August 17, 2016. The Department did not receive any comments on the modification request during the public comment period.

Our decision to approve the modification request is based on a thorough technical review of the permit modification request and applicable federal and state laws and regulations. We are approving the Class 2 Permit Modification request with the following conditions in Special Permit Conditions I.B.1.c.:

1. *Storage at each of the four (4) magazines shall not exceed the lesser of:*
 - a. *324 fifty-five gallon drums that contain free liquids; or*
 - b. *17,820 gallons of free liquids; or*
 - c. *100,000 pounds net explosive weight of Class 1.1 explosives or 250,000 pounds net explosive weight of Class 1.3 explosives. When both Class 1.1 and Class 1.3 are stored in the same building, the 100,000 pound limit will be used and all explosives stored in the magazine shall be counted toward this limitation; or*
 - d. *284 cubic yards in total.*

The Department conducted the public participation activities for the final Class 2 Permit Modification, as required by 10 CSR 25-7.270(1), which incorporates by reference 40 CFR 270.42(f)(1). We mailed a notification letter to everyone on the facility mailing list and the appropriate units of state and local government. We also posted the final Class 2 Permit Modification on the Department's website at dnr.mo.gov/env/hwp/permits/notices.htm. Supporting documents are not available on the Department's website due to their file size. Copies of the notification letters are included with this letter.

The approved Class 2 Permit Modification is effective immediately. Please be aware that any parties adversely affected or aggrieved by the Department's decision to approve the Class 2 Permit Modification may be entitled to pursue an appeal before the Administrative Hearing Commission, according to 10 CSR 25-8.124(2). The petition must be filed with the Administrative Hearing Commission by January 3, 2017, according to the procedures outlined in 10 CSR 25-2.020 and Missouri Revised Statutes, Sections 260.395.11 and 621.250, RSMo. Contact information for the Administrative Hearing Commission can be found online at ahc.mo.gov, or by calling (573) 751-2422. The Department also asks that a copy of the petition be provided to the Missouri Department of Natural Resources, ATTN: Hazardous Waste Program Director, P.O. Box 176, Jefferson City, MO 65102-0176, or by fax to (573) 751-7869.

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This permit modification may include conditions that you are not familiar with or that are different from or in addition to the conditions of your current permit. We would be pleased to meet with you to discuss any questions you may have related to the permit modification conditions. An appointment can be set up by contacting Mr. Radu Mariuta, 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 radu.mariuta@dnr.mo.gov. Any follow-up in response to your meeting request, whether by telephone, in-person meeting, or on-site visit, is considered Compliance Assistance and will focus on explaining the permit modification conditions to you. Thank you.

Sincerely,

HAZARDOUS WASTE PROGRAM

[Original signed by Steve Sturgess]

Steve Sturgess
Director

SS:rmm

Enclosure

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 Michael Seibert, City of Joplin
Mayor John Biggs, City of Webb City
Presiding Commissioner John Bartosh, Jasper County
Ken Herstowski, P.E., Project Manager, U.S. EPA Region 7
Ms. Lisa Krogman, Akzo Nobel, Incorporated
Southwest Regional Office, Missouri Department of Natural Resources