



Missouri Department of dnr.mo.gov

NATURAL RESOURCES

Michael L. Parson, Governor

Carol S. Comer, Director

October 24, 2018

CERTIFIED MAIL – 7014 2120 0002 3004 9137
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 Request
To Allow a New Type of Nitrocellulose Propellants (M-14) to be Treated in Building #12.
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 January 22, 2018. The modification request was to add a new Nitrocellulose Propellant (NCP), identified as M-14, to the list of NCPs that may be thermally treated in Building #12, as specified in Special Permit Condition II.E.4. of EBV's Missouri Hazardous Waste Management Facility (MHWMF) Part I Permit, dated October 23, 2002, most recently modified January 11, 2018.

The Department agrees with EBV that this is a Class 2 Permit Modification request, according to Special Condition II.E.4.a.(2) of EBV's MHWMF Part I Permit, most recently modified January 11, 2018. EBV conducted public participation activities for the Class 2 Permit Modification request, as required by 10 CSR 25-7.270(1), incorporating 40 CFR 270.42(b). The 60-day public comment period began January 29, 2018, and ended March 23, 2018. EBV held a public meeting about the modification request on February 27, 2018. The Department did not receive any comments on the modification request during the public comment period.



Our decision to approve the Class 2 Permit Modification request is based on a thorough technical review of the modification request, applicable federal and state laws and regulations, and a Comprehensive Performance Test report, dated December 21, 2017. The performance test was completed to test thermal treating M-14 Nitrocellulose Propellant in Building #12 to confirm compliance with emission limitations in EBV's MHWMF Part I Permit. We are approving the permit modification request with the following condition:

1. When handling, storing, and treating M-14 NCP in the thermal treatment unit(s) in Building #12, EBV shall comply with all restrictions, limitations, recordkeeping, and reporting requirements already established in EBV's MHWMF Part I Permit, dated October 23, 2002, most recently modified January 11, 2018, for handling, storing, and treating NCPs in Building #12.

The Department sent a notice of the approved Class 2 Permit Modification to everyone on the facility mailing list and the appropriate units of state and local government, as required by 10 CSR 25-7.270(1), incorporating 40 CFR 270.42(f)(1). We also posted this letter 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. A copy 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, or specific conditions of the Class 2 Permit Modification, may be entitled to pursue an appeal before the Administrative Hearing Commission, according to 10 CSR 25-7.270(1), incorporating 40 CFR 270.42(f)(2), and 10 CSR 25-8.124(2). The petition must be filed with the Administrative Hearing Commission by November 26, 2018, 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.

This permit modification may include conditions you are not familiar with or 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. Justin Blind, 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) 751-1173 or 1-800-361-4827, or by e-mail at justin.blind@dnr.mo.gov. Any follow-up in response to your meeting request, whether by telephone, in-person meeting, or on-site visit, is

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considered Compliance Assistance and will focus on explaining the permit modification conditions to you. Thank you.

Sincerely,

HAZARDOUS WASTE PROGRAM

[Original signed by John D. Jurgensmeyer]

John D. Jurgensmeyer
Director

JDJ:wfl

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 Cody Smith, Missouri House of Representatives
 Mayor Gary Shaw, City of Joplin
 Presiding Commissioner John Bartosh, Jasper County
 Robert Aston Jr., R.G., P.E., Missouri State Coordinator, U.S. EPA Region 7