Gunter, Jason

From: Gunter, Jason
Sent: Tuesday, June 24, 2014 7:06 AM
To: Mark Nations; 'Kator, Martin'
Cc: 'Wiles, Brandon'; 'Neaville, Chris'; 'Yingling, Mark'; 'Montgomery, Michael'; Julie VanHorn; 'Adam Nanney'
Subject: RE: letter regarding runoff issues at Federal
Attachments: Signed Letter regarding NPDES Permit.pdf; 20140616154107467.pdf

Here is the signed letter from last week along with the enclosed letter from MDNR for your records.

From: Gunter, Jason
Sent: Tuesday, June 17, 2014 7:40 AM
To: Mark Nations; Kator, Martin
Cc: 'Wiles, Brandon'; 'Neaville, Chris'; Yingling, Mark; Montgomery, Michael; Julie VanHorn; Adam Nanney
Subject: letter regarding runoff issues at Federal

I have attached a letter along with specific comments from MDNR-HWP regarding the runoff issues at Federal. I am in a hotel and do not have access to a scanner today so I'll send you another signed copy tomorrow. Thought we could discuss this at the meeting.

Please let me know if you have questions.

Sincerely,

Jason Gunter
Remedial Project Manager
US EPA Region 7
11201 Renner Blvd.
Lenexa, KS. 66219
Office: 913-551-7358
Cell: 913-302-9144

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 Renner Boulevard
Lenexa, Kansas 66219

Sent Via Email

June 17, 2014

TO: Mark Nations
The Doe Run Company
PO Box 1633
Desloge, Missouri 63601

Martin Kator
Missouri Department of Natural Resources
Division of State Parks
P.O. Box 176
Jefferson City, MO 65102

RE: Stormwater runoff issues in Shaw Branch
Federal Tailings Pile Site, St. Francois County, MO

Dear Respondents:

EPA has reviewed the most recent surface water data along with all previous available surface water data collected at the outfalls from the Federal Tailings Pile. EPA along with the Missouri Department of Natural Resources Hazardous Waste Program (MDNR-HWP) is concerned that the current sediment settling basins may not achieve the criteria set forth in the National Pollution Discharge Elimination System (NPDES) Permit. The NPDES Permit limits are applicable relevant and appropriate requirements (ARAR). EPA would prefer to meet with all stakeholders to review possible options to reduce metal loading into Flat River.

I have enclosed specific comments from MDNR-HWP. These comments should be addressed as soon as possible.

Please contact me if you have questions or concerns regarding my comments.

Sincerely,

Jason A. Gunter

Jason Gunter
United States Environmental Protection Agency
Phone: 913-551-7358
Gunter.jason@epa.gov

cc: Mr. Brandon Wiles, MDNR-HWP

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Mr. Martin Kator, MDNR-DSP
Mr. Michael Montgomery, The Doe Run Company
Mr. Chris Neaville, The Doe Run Company
Mr. Mark Yingling, The Doe Run Company
Ms. Genevieve Bodnar, The Doe Run Company
Ms. Julie Van Horn, USEPA
Mr. Adam Nanney, BARR Engineering

Enclosure

STATE OF MISSOURI
Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director
DEPARTMENT OF NATURAL RESOURCES
www.dnr.mo.gov

June 16, 2014

Mr. Jason Gunter
Remedial Project Manager
U.S Environmental Protection Agency
Region 7 – Superfund Branch
11201 Renner Blvd.
Lenexa, KS 66219

RE: Sedimentation Basin issues in the Shaw Branch Area, Federal Mine Tailings Site, St. Francois County, MO

Dear Mr. Gunter:

The Missouri Department of Natural Resources' Hazardous Waste Program (HWP) has completed a review of the two basin designs that Barr Engineering submitted to us by email on May, 2, 2014. Additionally, the HWP's, Superfund Section and the Department's Land Reclamation Program, conducted a conference call to discuss the design of the basins with Barr Engineering on May 28, 2014. Below are our comments regarding the May 18, 2014, conference call, and on the design of the sedimentation basins within the Shaw Branch area of St. Joe State Park.

1. Currently, both of the basins have not been designed to take in account specific total suspended solids, including Total Recoverable Lead, Zinc and Cadmium limitations contained in the Missouri State Operating Permit (hereinafter referred to as permit) issued in June 2011. The permit was included as an ARAR to the workplan; so, therefore, the removal action is intended to meet the permit limitations.

2. The Railroad basin which is referred to as Pond 27P; although not designed to make specific improvements to water quality that would meet the permit limits was designed to reduce sedimentation that would improve water quality. The HWP is requesting that Doe Run and DSP reevaluate the design as it relates to the permit limitations to determine if any design modifications would make additional improvements to water quality. Doe Run and DSP need to provide the specific design criteria used for Pond 27P along with the anticipated rate of contamination removal for each contaminate of concern. Once the design has been reevaluated it should be submitted to EPA and the HWP for review.

3. The Highway Basin (Pond 30P) should be redesigned and modified to make direct improvements in water quality to allow permit limits to be met. It is expected that a dam/structure would need to be included as part of the redesign of this basin. Doe Run and DSP need to provide the specific design criteria used for Pond 30P, along with the anticipated rate of contamination removal for each contaminate of concern. Once the design has been completed, it should be submitted to EPA and the HWP for review.

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4. Both of the basin designs should state how past water quality data and the permit limitations were used to evaluate the design of the basin and discharge structures that are constructed on-site. This information needs to be provided for both of the basin designs, detailing the design criteria used for these basins and the anticipated rate of contamination removal from these improvements.

5. It is the Department's understanding, if the sedimentation basin/basins are redesigned to meet the permit designated for the site and to improve specific water quality issues, then a modification to the Removal Action Work Plan (RAWP), and all design modifications and updated construction drawings should be submitted to the EPA and the Department for review and approval.

6. A request for extension was submitted to the EPA requesting an extension of one year for the completion of the removal action activities for the Federal Mine Tailings Site. This request was submitted on July 12, 2013, extending the construction schedule completion date to July 21, 2014. The HWP is requesting that Doe Run and DSP reevaluate the design as it relates to the permit limitations to determine if any design modifications would make additional improvements to water quality. In regards to additional work, Doe Run will not meet this deadline of July 21, 2014, and an additional request for an extension on the construction schedule for the site will need to be sent to the EPA. The HWP recommends that four quarters of water sampling results be evaluated prior to the EPA concurrence with the removal action's completion, to ensure the removal action activities have met the permit limitations.

Thank you for the opportunity to review and comment on the design of the detention basins, per our May 28, 2014, phone conference. If you have any further questions regarding this letter, please do not hesitate to contact me at the Missouri Department of Natural Resources, Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65101-0176, by telephone at (573) 751-1388 or by email at dennis.stinson@dnr.mo.gov. The Project Manager for the site, Brandon Wiles, can also be contacted by telephone at (573) 526-4208, or by email at brandon.wiles@dnr.mo.gov.

Sincerely,

HAZARDOUS WASTE PROGRAM

Dennis Stinson

Dennis Stinson, Chief
Superfund Section

DS:bwd