



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Michael L. Parson
Governor

Dru Buntin
Director

March 13, 2024

Adam Ruiz, Chief
Assessment, Emergency Response, and Removal Branch
Superfund and Emergency Management Division
U.S. EPA, Region 7
11201 Renner Boulevard
Lenexa, KS 66219

RE: Applicable or Relevant and Appropriate Requirements (ARARs) for Houston Wood Treatment Plant near Houston, Texas County, Missouri.

Dear Adam Ruiz:

Pursuant to your request dated February 21, 2024, enclosed are Missouri's Applicable or Relevant and Appropriate Requirements (ARARs) identified for the time-critical removal action planned for the Houston Wood Treatment Plant in Texas County, Missouri. The objective of the time-critical removal action will be to excavate pentachlorophenol (PCP) contaminated soils exceeding the site-specific removal management level (RMLs). The excavated areas will be backfilled with gravel or soil to the pre-removal grade. The soil will be excavated and transported to an off-site facility for disposal. Please consider the tabulated State ARARs during the time-critical removal action planned. In no way does this list, if incomplete, hold harmless or free any party or parties from compliance with all Missouri laws in this or any future action regardless of location within the State of Missouri boundary.

We appreciate the opportunity to participate and provide guidance in this process. If you have any questions, please contact me at (573) 522-5074. You may also contact Bryce Bobbitt, the Department's Engineering and Remedial Project Management Unit (ERPMU) Chief, by phone at (573) 751-1130 or by email at Bryce.Bobbitt@dnr.mo.gov. Direct any written inquiries to his attention at the Environmental Remediation Program, P.O. Box 176, Jefferson City, MO 65102-0176.

Sincerely,

ENVIRONMENTAL REMEDIATION PROGRAM

Chinwe Ndubuka

Chinwe Ndubuka, Chief
Superfund Section

Enclosure



TABLE 1: CHEMICAL-SPECIFIC REQUIREMENTS

<i>Chemical</i>	<i>Maximum Concentration Allowed</i>	<i>Medium</i>	<i>Reason Why Requirement is an ARAR</i>	<i>Regulatory Citation</i>
Pentachlorophenol	Drinking water supply: 1 ug/L Groundwater: 1 ug/L Human Health Protection (fish consumption): 8 ug/L Aquatic Life Protection: dependent on pH	Water	Provides specific water quality criteria for waters based on Missouri use designations. (See tables).	10 CSR 20-7.031(5)
Pentachlorophenol	Below the Default Target Levels (Appendix B)	Surface and Subsurface Soils	Missouri corrective action standards for which a chemical has no federal precedent.	10 CSR 25-18.010
Dioxin, TEQ	Below the Default Target Levels (Appendix B)	Surface and Subsurface Soils	Missouri corrective action standards for which a chemical has no federal precedent.	10 CSR 25-18.010
Dioxin, TEQ	Drinking water supply: 1.3×10^{-8} ug/L Groundwater: 1.3×10^{-8} ug/L Human Health Protection (fish consumption): 1.4×10^{-8} ug/L Aquatic Life Protection: dependent on pH	Surface and Ground Water	To ensure existing or proposed discharges are in compliance.	10 CSR 20-7.031(5)(M)

TABLE 2: LOCATION-SPECIFIC REQUIREMENTS

<i>Location Subject to Requirement</i>	<i>Requirement</i>	<i>Reason Why Requirement is an ARAR</i>	<i>Regulatory Citation</i>
Applicable areas within and near the site area	The Wildlife Code of Missouri.	Requires a determination of the presence or absence of endangered or threatened species, and provides for regulation of non-game wildlife. Places restrictions on actions affecting protected species.	3 CSR 10-4.111
Waters of the State of Missouri	Protection of designated uses.	To ensure existing or proposed discharges are in compliance.	10 CSR 20-7.031(2)
Waters of the State of Missouri	Waters of the state are subject to applicable Anti-Degradation Tiers 1 &2.	To ensure existing or proposed discharges are in compliance.	10 CSR 20-7.031(3)
Landfills, stockpiles, land application sites, and open dumps that have received hazardous or industrial wastes, and sites where chemical substances are exposed to storm water	Storm Water Permits. Establishes regulatory basis and substantive requirements for storm water discharges.	To ensure existing or proposed discharges are in compliance. Observed conditions at the site and/or the planned removal action may result in hazardous substances, pollutants, or contaminants coming in contact with storm water.	10 CSR 20-6.200
Waters of the State of Missouri	General criteria are applicable to all waters of the state at all times, including mixing zones.	To ensure existing or proposed discharges are in compliance.	10 CSR 20-7.031(4)

TABLE 3: ACTION-SPECIFIC REQUIREMENTS

<i>Action Subject to Requirement</i>	<i>Requirement</i>	<i>Reason Why Requirement is an ARAR</i>	<i>Regulatory Citation</i>
Water treatment to effluent standards	Effluent Regulations	This rule sets forth the limits for various pollutants which are discharged to the various waters of the state.	10 CSR 20-7.015
Compliance with Missouri Clean Water Law during removal action	Definitions	Sets forth the definitions of terms used in the Missouri Clean Water Law and all regulations passed pursuant to it.	10 CSR 20-2.010
Discharge of water from the site	Construction and Operating Permits	The discharge of water from an environmental emergency cleanup site under the direction of, or the direct control of, the department or the Environmental Protection Agency (EPA), is exempt from permit regulations, provided the discharge does not violate any condition of 10 CSR 20-7.031 Water Quality Standards.	10 CSR 20-6.010
Preliminary treatment of wastewaters	Standards for the minimum standards for preliminary treatment of wastewater collection and treatment systems in the State of Missouri.	Specifies the standards for preliminary treatment of wastewater before it is released into the waters of the state.	10 CSR 20-8.150
Hazardous waste management	Rules for definitions and delisting procedures.	Definitions and delisting procedures pertain to the site removal action. Rule incorporates 40 CFR 260, and outlines specific substitutions.	10 CSR 25-3.260

Identifying hazardous waste	Methods for Identifying Hazardous Waste	Sets forth characteristics and lists by which a generator can determine whether his/her waste is hazardous. Action pertains to removal of hazardous waste.	10 CSR 25-4.261
Transport of hazardous waste from the site	Standards for the transporters of hazardous waste in the State of Missouri.	The proposed removal action will involve transportation of hazardous waste from the site. Transportation of hazardous waste is subject to rules meant to protect human health and the environment including but not limited to license requirements for transporting hazardous materials.	10 CSR 25-6.263
Hazardous waste management	Rules for generators of hazardous waste and state standards.	Sets the rules and standards for the generators of hazardous waste and the state standards. A generator located in Missouri, except as conditionally exempted in accordance with 10 CSR 25-4.261, shall comply with the requirements. Hazardous waste is present on the site.	10 CSR 25-5.262
Removal	Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities	Properly permitted off-site hazardous waste treatment, storage, or disposal facilities must be used for off-site management of hazardous wastes from the site.	10 CSR 25-7.264
Removal	Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities	Properly permitted off-site hazardous waste treatment, storage, or disposal facilities must be used for off-site management of hazardous wastes from the site.	10 CSR 25-7.265
Removal	Land Disposal Restrictions	The removal action involves the disposal of hazardous wastes from the site. Rule establishes standards and requirements that identify hazardous wastes that are restricted from land disposal.	10 CSR 25-7.268

Universal waste management	Standards for Universal Waste Management	There are widely generated hazardous wastes that can be considered universal wastes.	10 CSR 25-16.273
Removal of product and hazardous waste dust from the site	Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin	The removal action would involve the removal of loose and spilled powders, and released product dust observed at the site. This rule restricts the emission of particulate matter to the ambient air beyond the premises of origin.	10 CSR 10-6.170
Hazardous substance emergency response	Notification procedures for hazardous substance emergencies	Removal and disposal of hazardous substances at the site may result in hazardous spills or other environmental emergency releases. The EPA and/or its representative must notify the state at the earliest practical moment upon discovery of an emergency involving a hazardous substance during the removal action. The state's 24-hour Spill Reporting Hotline is 573-634-2436.	260.500 to 260.550 RSMo