BEFORE THE AIR CONSERVATION COMMISSION
STATE OF MISSOURI

DOE RUN COMPANY RESOURCE	)	
RECOVERY FACILITY	)	
CONSENT ORDER	)	NO._____
RESPECTING LEAD EMISSIONS	)	

STIPULATION AND ORDER

COME NOW The Doe Run Company (Doe Run) and the Missouri Department of Natural Resources (MDNR) and stipulate as follows:

1. This Consent Order and Stipulation modifies and supersedes the previous Stipulation executed by Doe Run and the MDNR and entered by the Missouri Air Conservation Commission (Commission) on March 31,1994.

2. In accordance with the federal Clean Air Act, 42 U.S.C. § 7401, et seq., as amended, the State of Missouri submitted a State Implementation Plan for the attainment and maintenance of the National Ambient Air Quality Standard for Lead in the air quality control region located in the vicinity of Doe Run's Resource Recovery Facility which smelter is located near Bixby, Iron County, Missouri (the facility).

3. Pursuant to the federal Clean Air Law, 42 U.S.C. § 7401, et seq., as amended, the State of Missouri is in the process of revising said State Implementation Plan, which revision the state will submit to the EPA for its review and approval.

4. The parties, by their signatures hereto, acknowledge that they have read and understand the terms of this Stipulation and Order and agree to be bound thereby. The parties further acknowledge and agree that the terms of the Order may be enforced by suit

for injunctive relief and/or civil penalties pursuant to § 643.151, RSMo, as amended. The parties further agree and acknowledge that this Stipulation and Order is binding upon the parties hereto, their successors, assigns, agents, and employees.

5. Doe Run's Resource Recycling Facility consists of a lead smelter that may operate on either a primary or secondary feed stock and a resource recycling operation.

6. Since 1990, the air monitoring demonstrates that the facility meets the National Ambient Air Quality Standard for lead as specified in 40 C.F.R. 50.12.

ORDER

This matter comes before the Commission on the stipulation of the parties and after public comment and a public hearing, the Commission having jurisdiction over the subject matter and the parties hereto pursuant to § 643.050, RSMo, as amended, being fully advised in the premises:

IT IS HEREBY ORDERED that, in order to demonstrate attainment and maintenance of the National Ambient Air Quality Standard for lead as specified in 40 C.F.R. 50.12, Doe Run shall:

A. In the event the air quality data for any calendar quarter following October 3, 1995 (the attainment date for the National Ambient Air Quality Standard for lead), exceeds said National Ambient Air Quality Standard for lead as specified in 40 C.F.R. § 50.12, the MDNR will notify Doe Run. Doe Run shall then implement the following contingency control measures sixty (60) days from the date of its receipt of MDNR's

notification:

(1.) Pave the remainder of the employee parking area northwest of the Doe Run administrative building.

(2.) Increase the frequency of facility roadway sweeping and washdown to two (2) shifts daily.

(3.) Replace bags in the main baghouse compartment number 1 with Teflon coated bags to improve ventilation capacity to the furnace process.

(4.) If the National Ambient Air Quality Standard for lead has not been achieved within the first full quarter following installation of Teflon-coated bags in main baghouse compartment number 1, Doe Run shall replace the main baghouse compartment number 8 bags with Teflon-coated bags during the next full quarter.

(B) Other requirements:

(1.) Doe Run shall maintain the fence or use some other physical barrier to enclose the Doe Run property within the 1.5 ug/m^3 isopleth for its current resource recovery operations.

(2) Doe Run shall comply with the provisions at 10 CSR 10-6.120(2)(C), as amended.

The schedule set forth above will not apply in the event Doe Run does not

complete the emission control projects during the time periods specified above as the result of an Act of God , war, strike, riot or other catastrophe. The completion dates will be extended for the period of time corresponding to the time said circumstances are occurring. Doe Run shall have the burden of proof to establish that it is entitled to utilize the provisions of this paragraph.

THE DOE RUN COMPANY

By: Jay Z. Pyatt Date: 3/1/00

Title: Vice President Secondary Smelting

MISSOURI DEPARTMENT OF NATURAL RESOURCES

By: [signature] Date: 5-11-00

Title: Director

ENTERED:

MISSOURI AIR CONSERVATION COMMISSION

David C. Zimmermann
Chair

Michael R. Pomerantz
Vice Chair

Date: 4-27-00

EPA Rulemakings

CFR: 40 C.F.R. 52.1320(d)

FRM: 65 FR 62295 (10/18/00)

PRM: 65 FR 62319 (10/18/00)

State Submission: 5/17/00

State Final: 5/11/00

APDB File: MO-148

Description: This revision supercedes the previous Order of September 29, 1994. It sets forth new contingency measures as a result of the redesignation of the area to attainment.

CFR: 40 C.F.R. 52.1320(c)(89)(i)(C)

FRM: 60 FR 39851 (8/4/95)

PRM: 60 FR 39910 (8/4/95)

State Submission: 11/23/94

State Proposal: N/A

State Final: 9/29/94

APDB File: MO-88

Description: The EPA approved a Consent Order in which Doe Run Buick agrees to undertake and complete revised Contingency Control Measures which replace C-1, C-2, and C-3 Contingency Control Measures in the previous Order dated July 2, 1993.

CFR: 40 C.F.R. 52.1320(c)(89)(i)(B)

FRM: 60 FR 39851 (8/4/95)

PRM: 60 FR 39910 (8/4/95)

State Submission: 7/2/93

State Proposal: N/A

State Final: 7/2/93

APDB File: MO-88

Description: The EPA approved a Consent Order in which Doe Run Buick agrees to undertake and complete specific emissions control projects before the primary smelting facility resumes operations.

Difference Between the State and EPA-Approved Regulation

None.