

RECEIVED

AUG 24 2005

KOCH

BUREAU OF WASTE MANAGEMENT

KOCH NITROGEN COMPANY

CERTIFIED MAIL; RETURN RECEIPT REQUESTED:

7005 0390 0006 6702 0681

August 22, 2005

Mr. Brian Busby
Kansas Department of Health and Environment
Bureau of Waste Management
1000 SW Jackson Street, Suite 320
Topeka, Kansas 66612-1366

Ref: Updated Closure, Post-Closure, and Corrective Action Financial Assurance
Koch Nitrogen Company, Dodge City
Hazardous Waste Management Permit
EPA ID# KSD044625010

Dear Mr. Busby:

Enclosed is the update for the increase in our financial assurance, based on the estimate we submitted on July 26, 2005 and which you subsequently found acceptable.

As we have discussed with your staff, the financial assurance instrument remains in place and has no expiration date. If you have any questions or need additional information, please contact me at (620) 227-8631, Ext. 350.

Sincerely,



AnnieLaurie Burke
Environmental Compliance Leader

Attachment

Cc w/attachment:

Mostafa Kamal, P.E., Chief of the Hazardous Waste Permits Section, KDHE
Chief, RCRA Corrective Action and Permits Branch; Air, RCRA and Toxics Division, U.S.
Environmental Protection Agency – Region VII, Kansas City, Kansas
Mr. Everett Spellman, KDHE w/attachments
Stephen Ellingson, KMS Wichita
Gary J. LeRock, KNC, Dodge City

11559 U.S. Highway 50 ▪ P.O. Box 1337 ▪ Dodge City, Kansas 67801-1337
620/227-8631 ▪ FAX 620/227-6016

RCRA



531847

INCREASE/DECREASE RIDER

To be attached to and form a part of Bond Number 104174514 in the amount of **Five Million Nine Hundred Sixty Eight Thousand One Hundred Eighty Two and no/100** Dollars (**\$5,968,182.00**) issued by **Travelers Casualty and Surety Company of America** on behalf of **Koch Nitrogen Company** in favor of **Kansas Department of Health and Environment.**

It is understood and agreed that the bond described above is hereby modified to **INCREASE** the bond amount

FROM: **Five Million Nine Hundred Sixty Eight Thousand One Hundred Eighty Two and no/100**-Dollars (**\$5,968,182.00**)

TO: **Six Million One Hundred Fourteen Thousand Five Hundred and no/100**-Dollars (**\$6,114,500.00**)

effective this 16th day of August, 2005.

It is further expressly understood and agreed that the aggregate liability of the company under said bond to the obligee herein mentioned shall not exceed the amount stated above. Nothing herein contained shall be held to vary, alter, waive, or extend any of the terms, agreements, conditions or limitations of the above mentioned bond, other than as above stated.

Signed, Sealed, and dated this 16th day of August, 2005.

ATTEST:

Lois Slayden
Lois Slayden
Lois Slayden

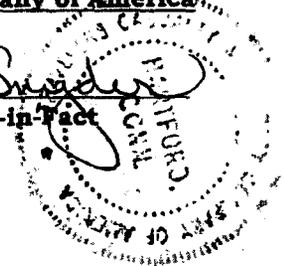


Ray Gary Garland, Secretary
Ray Gary Garland, Secretary
Ray Gary Garland, Secretary

ATTEST:

James L. Cook
James L. Cook
James L. Cook

Kathleen A. Snyder
Kathleen A. Snyder, Attorney-in-Fact
Kathleen A. Snyder, Attorney-in-Fact



**TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
TRAVELERS CASUALTY AND SURETY COMPANY
FARMINGTON CASUALTY COMPANY
Hartford, Connecticut 06183-9062**

POWER OF ATTORNEY AND CERTIFICATE OF AUTHORITY OF ATTORNEY(S)-IN-FACT

KNOW ALL PERSONS BY THESE PRESENTS, THAT TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY, corporations duly organized under the laws of the State of Connecticut, and having their principal offices in the City of Hartford, County of Hartford, State of Connecticut, (hereinafter the "Companies") hath made, constituted and appointed, and do by these presents make, constitute and appoint: David W. Delker, Debra J. Thomas, Kathleen A. Snyder, Marcia Frazier, Marilyn A. Dugan, Peggy A. Biby, Joyce M. Pinkley, of Wichita, Kansas, their true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred to sign, execute and acknowledge, at any place within the United States, the following instrument(s): by his/her sole signature and act, any and all bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking and any and all consents incident thereto and to bind the Companies, thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Companies, and all the acts of said Attorney(s)-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This appointment is made under and by authority of the following Standing Resolutions of said Companies, which Resolutions are now in full force and effect:

VOTED: That the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her.

VOTED: That the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary.

VOTED: That any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary, or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority.

This Power of Attorney and Certificate of Authority is signed and sealed by facsimile (mechanical or printed) under and by authority of the following Standing Resolution voted by the Boards of Directors of TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY, which Resolution is now in full force and effect:

VOTED: That the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY have caused this instrument to be signed by their Senior Vice President and their corporate seals to be hereto affixed this 25th day of October, 2002.

STATE OF CONNECTICUT

SS. Hartford

COUNTY OF HARTFORD

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
TRAVELERS CASUALTY AND SURETY COMPANY
FARMINGTON CASUALTY COMPANY



By *George W. Thompson*
George W. Thompson
Senior Vice President

On this 25th day of October, 2002 before me personally came GEORGE W. THOMPSON to me known, who, being by me duly sworn, did depose and say: that he/she is Senior Vice President of TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY, the corporations described in and which executed the above instrument; that he/she knows the seals of said corporations; that the seals affixed to the said instrument are such corporate seals; and that he/she executed the said instrument on behalf of the corporations by authority of his/her office under the Standing Resolutions thereof.



Marie C Tetreault
My commission expires June 30, 2006 Notary Public
Marie C. Tetreault

CERTIFICATE

I, the undersigned, Assistant Secretary of TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY, stock corporations of the State of Connecticut, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney and Certificate of Authority remains in full force and has not been revoked; and furthermore, that the Standing Resolutions of the Boards of Directors, as set forth in the Certificate of Authority, are now in force.

Signed and Sealed at the Home Office of the Company, in the City of Hartford, State of Connecticut. Dated this 16th day of August, 2005.



By *Kori M. Johanson*
Kori M. Johanson
Assistant Secretary, Bond

