



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

CERTIFIED MAILRETURN RECEIPT REQUESTED

Article No. 7004 2510 0006 9724 6003

18 NOV 2005

Mr. Gary J. LeRock
Plant Manager
Koch Nitrogen Company
P.O. Box 1337
Dodge City, KS 67801-1337

Dear Mr. LeRock:

RE: Koch Nitrogen Company's (KNC's) October 20, 2005 submittal via e-mail of the Background Assessment Work Plan, and KNC's draft Proposed Responses to Comments on the Field Sampling Plan.

Dear Mr. LeRock:

The U.S. Environmental Protection Agency Region 7 (EPA) is in receipt of KNC's October 20, 2005, e-mail submittal of the Background Assessment Work Plan and KNC's draft Proposed Responses to Comments on the Field Sampling Plan. KNC's October 26, 2005, letter requests a thirty (30) calendar day extension following receipt of the comments from EPA's review of the above-referenced documents. These documents have been reviewed by EPA and KDHE technical staff, and EPA's Quality Assurance Manager.

The EPA offers the following comments on the above-referenced documents:

Proposed Responses to Comments on the Field Sampling Plan:

1. Page 1, General Comment #8, Proposed KNC Response: EPA expressed concerns regarding the data collected from SWMU #26 because the samples were received by the laboratory at incorrect holding temperatures. EPA has discussed this issue with our internal laboratory personnel and quality assurance personnel. Since the constituent being tested for was Chromium, the holding temperature is not as important an issue, as it would have been with other constituents. However, this does raise the concern regarding overall handling practices for samples. Attention must be given to proper handling techniques and holding times and temperatures. KNC personnel should be properly instructed so that this does not occur in the future. Holding times and temperatures are very important for certain constituents and if they are not received at the proper holding time and temperatures, these samples will not be considered valid.

Since chromium was the constituent being sampled for at SWMU #26, EPA will accept the data as valid given that the incorrect holding temperature should not have affected the outcome of the sample.

2. Page 2 & 3, Specific Comment #2, Proposed KNC Response: In addition, on the October 17, 2005, conference call EPA and KDHE raised concerns regarding the disposal of the sludge from the Andco Unit (SWMU #14). EPA stated that in Farmland's Current Conditions Report on page 12, last full paragraph, last sentence it states, "The chrome sludge has been disposed of in the permitted Facility landfill. Also, on Page 17, East Lime Sludge Landfill, this paragraph states that the landfill is located on the eastern side of the Facility, south of the wastewater tank. It further states, "Material disposed of in the East Landfill consist primarily of lime sludge; however, KDHE records also document the disposal of MEA charcoal filter, spent high shift catalyst (2,160 ft³), UAN tank sludge, demineralized water treatment sludge, pretreatment settling basin sludge." This information justifies extensive sampling at the lime sludge landfills. Given the nature of the material disposed into these landfills warrants a broader scan of constituents to be sampled for. Therefore, revise the sampling scheme for the lime sludge landfills to a broader parametric coverage as described for Trench #3.

3. Page 3, Specific Comment #11, Proposed KNC Response: KDHE expressed concern regarding the termination of the well boring at 450 feet below ground surface. Records indicate Farmland continued to use Disposal Well DP-1 for waste disposal despite a reduction in the wastewater injection rate. In addition, the casing was evidently corroded from 400 to 500 feet below ground surface. If an obstruction occurred at a deeper elevation, continued use of the well may have resulted in wastewater being forced into the formation adjacent to the lower portions of the corroded well casing. Therefore, vertically profile the Dakota Aquifer from the top of the aquifer and continue to a depth of no less than 500 feet below ground surface. Also, reference was made to "Weekly Reports." Please submit a copy of these documents that pertain to Disposal Well DP-1.

4. Page 5, Specific Comment #38, Proposed KNC Response: See EPA's response above number 2. Please revise the text accordingly.

5. Specific Revisions to Table I-2-1, AOC #4, Analyses/Test Methods: Appendix IX metals is missing the appropriate EPA method. Please add after, "app IX metals (EPA6020/7471B).

Background Assessment Work Plan:

1. Page 5, Section 2.3.1 Chromium Preliminary Evaluation, last sentence: The sentence states, KNC proposes to use the most commonly obtained detection limit (0.024 milligrams per liter [mg/L]) in the historical background chromium analytical database (Appendix A) as the background chromium concentration in unconsolidated groundwater." EPA has reviewed the data contained in KNC's 2005 Semi-Annual

Ground Water Corrective Action Report. The private wells that are sampled quarterly show Chromium less than 0.010 mg/L. The value KNC is proposing is for wells that are located mostly on facility property to the North. Given that nothing was detected in those wells less than 0.024 mg/L, anything detected would be above that value. Therefore, since the private wells are showing 0.010 mg/L, and are located farther North and East of the background wells that KNC proposed, EPA feels these private wells are more representative of background levels for Chromium in groundwater. Therefore, EPA will use the 0.010 mg/L as the background concentration for Chromium in groundwater. Please revise the text accordingly.

2. Page 7, Section 3.1 Sample Location Identification: Sentence one states, "Background samples locations will be taken from the area surrounding the KNC Facility." KNC needs to provide an explanation on the criteria used to select the background soil sampling locations. Please add detail on the rationale for the background sampling locations.
3. Page 8, Section 3.3 Data Evaluation, fourth sentence: This sentence states, "As applicable, outliers will be eliminated from consideration as representative of background." Outliers should not be eliminated from consideration. Outliers can provide important information. The outliers could be an indication that the area being sampled has been impacted by facility contamination, or it could indicate that other background sample locations have been impacted by facility contamination. Outliers need to be investigated to determine if there is a problem with the data or if it is an indicator of contamination or lack of contamination. Outliers can be investigated by additional sampling. Modify the text accordingly.
4. Page 9, Section 3.4, 1st Paragraph: The text states that, "EPA guidance specifies the threshold value as twice the mean background concentration but no greater than the highest detected background sample (EPA 2002a)." In the reference list on page 11, the reference cited as EPA 2002a is "Role of Background in the CERCLA Cleanup Program", OSWER 9285.6-07P. In reviewing the referenced document, the EPA could not find any information relative to the above quoted statement discussing the threshold values of background concentrations.

Please point out where this issue is discussed in the referenced EPA document, or if the reference is in error please indicate the correct reference.

As EPA stated in its letter dated November 1, 2005, EPA is approving the thirty (30) calendar day extension requested in KNC's letter of October 26, 2005, for the revised FSP and QAPP. The thirty (30) calendar day extension was tied to certified receipt of EPA's comments on KNC's background document and proposed responses. The 30 calendar day extension starts from certified receipt of this letter.

If you have any questions regarding this letter, please contact me at (913) 551-7662.

Sincerely,



Andrea R. Stone
Environmental Scientist
Air, RCRA & Toxics Division
RCRA Corrective Action & Permits Branch

cc: Kathy Dunn
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