



AndreaR
Stone/ARTD/R7/USEPA/US
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To AnnieLaurie Burke
cc
bcc
Subject Additional samples in drainage area by SWMUs 1 & 2

AnnieLaurie:

This is a follow-up to our phone conversation on Friday, March 10.

You informed me that KNC wanted to take additional samples around SWMUs 1, 2, and 19. You stated that additional sampling needed to be completed in the location of a drainage ditch/natural depression from Praxair to the North Pond that KNC had discovered. You stated that KNC suspected that SWMUs 1 & 2 may have received drainage/waste from the Praxair facility that might have been chromic acid. You also stated that KNC had discovered things on top of SWMU 19, and KNC wanted to verify what those things were because KNC did not have a lot of confidence in what documentation the previous owner had provided. I told you that KNC would probably have to submit something in writing and I would probably have to send you something back in writing approving it. I also stated that I agreed with the basic concept of taking additional sampling, but I would check the Permit to see what was required.

Upon review of the Part II Permit, Section C.3., "Notification Requirements for and Assessment of Newly-Identified SWMUs and AOCs," it states that the Permittee has to notify the Director (EPA) in writing no later than 15 days after discovery. Based on the information you provided regarding the drainage ditch, I am viewing this area as an AOC, however, if documentation is found that determines this drainage/waste was systematically released, then it would be classified as a SWMU. Please take a look at that Section.

I need KNC to send written correspondence to my attention and describe the sampling proposed at each location, along with an updated map with the new sampling location. Please state that the additional sampling will be done in accordance with the approved FSP/SAP/QAPP.

If you have any questions, please let me know.

In reference to your other issue, I am talking internally to our technical staff and my attorney to see how best to handle the private property access situation. I will let you know what I find out.

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