



KOCH NITROGEN COMPANY

August 4, 2008

**Via Certified Mail No.
Return Receipt Requested**

7007 0710 0009 4183 1570

Mostafa Kamal, P.E.
Chief, Hazardous Waste Permits Section
Kansas Department of Health and Environment
Bureau of Waste Management
1000 SW Jackson St., Suite 320
Topeka, KS 66612-1366



Re: Koch Nitrogen Company – Dodge City Facility
Post Closure Permit, EPA ID No. KSD 044625010
Class 1a Modification to Permit Removal of TW-18 from Recovery System

Dear Mr. Kamal:

Koch Nitrogen Company (KNC), as the owner and operator of an ammonia manufacturing facility (the Plant) located near Dodge City, Kansas, and as the holder of a Post Closure Permit (Permit) issued by the Kansas Department of Health and Environment (KDHE), has operated a groundwater recovery and treatment system at the Plant pursuant to the Permit since KNC acquired the Plant on May 20, 2003.

The groundwater recovery and treatment system was installed by the prior facility owner, Farmland Industries. Most of the recovery wells in this system were installed during the 1981 - 82 timeframe. Due to the age of the system, there have been failures of some of the components that have caused groundwater to be released, as KNC has previously reported to KDHE, as well as other equipment failures where KNC was able to replace components to maintain the wells on the system.

TW-18 is designated in the Permit as a groundwater recovery well and a supplemental monitoring well, and is located on the eastern terminus of the east-central header in the recovery system. This well has experienced recurring malfunctions. KNC has made several attempts to clean sediments from TW-18. We have replaced several pumps when the excessive sediment in the casing has caused pump and motor failures. In each case, KNC has attempted to clear the occlusion and restore proper functioning of the well. Sampling of TW-18 has shown recurring silt, and evidence of debris from the damaged pumps and appurtenances. The silt build up in the well has affected monitoring results.

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We have been unsuccessful in clearing the well. Most recently, we attempted again with the Waterra unit, but the debris in the well trapped the tubing and valve assembly in the casing. It appears that the well screen has become damaged to the point where sediment and silt can enter unobstructed into the well.

TW-18 is one of the outer perimeter wells that KNC found to have little impact on the overall removal efficiency of the system, as shown during the optimization study that KNC performed following KDHE approval. The recent concentrations of Cr and nitrogen compounds of surrounding wells are shown in the Table below.

Analytes in Wells Surrounding TW-18				
<i>Well</i>	<i>Sample Date</i>	<i>Cr Total, mg/l (MCL = 0.100)</i>	<i>Cr Dissolved, mg/l</i>	<i>NO2/NO3 as N, mg/l (MCL =10)</i>
TW-11	5/14/2008	ND(0.010)	ND(0.010)	6.58
TW-12	5/20/2008	ND(0.010)	ND(0.010)	2.51
TW-13	5/20/2008	0.020	0.017	3.60
TW-17	5/20/2008	ND(0.010)	ND(0.010)	2.43
TW-22	5/14/2008	ND(0.010)	ND(0.010)	0.99
TW-86	5/20/2008	ND(0.010)	ND(0.010)	4.47

Based on these concentrations, which are all below the MCLs, these wells are relatively ineffective at removing the impacted groundwater. Therefore, replacement of TW-18 with a new well would not likely improve the removal and treatment efficiency of the system.

KNC therefore proposes to disconnect TW-18 from the recovery system and not replace the well, since anticipated upgrades to the recovered water system in the near future will be more efficient in addressing the impacted groundwater. Rather, KNC proposes to disconnect TW-18 from the recovery system, but to maintain it for use as a monitoring well for purposes of making water level measurements; and to transfer TW-13, immediately to the west of TW-18 on the same header, to quarterly monitoring status.

We have discussed this with KDHE staff and by email of June 11, 2008, we received notice from KDHE that the agency would treat this change to the Permit as a Class 1a modification. Pursuant to 40 CFR 270.42(d), a determination of the class of the modification is necessary where modifications are proposed that are not explicitly listed in Appendix I of 40 CFR 270.42. As the removal of a recovery well is not addressed in Appendix I, it was necessary for KDHE to classify the Permit change. We understand the Class 1a designation to mean that the change will be handled as a Class 1 modification requiring KDHE approval before it is effective.

Please find attached KNC's proposed changes to the Permit language, reflecting these changes to wells TW-18 and TW-13. To expedite your review, we have attached the following documents, including in each case a clean copy of the revised pages, a redline of the revised pages, and a redline of the entire affected section:

- the Post-Closure Permit;
- the Post-Closure Plan; and
- the RCRA Groundwater Sampling and Analysis Plan (the SAP).

Permit Condition II.J.1. requires KNC to revise the financial assurance cost estimate when there is a change in the Post-Closure Plan. KNC has determined that the changes it is requesting in this letter will not affect the cost estimate submitted to KDHE and approved in April 2008.

The regulatory procedures for submitting a Class 1 permit modification provide that applicable information required by 40 CFR 270.13 -270.21, 270.62 and 270.63 should be provided. The applicable information is as follows:

270.13 Part A: no changes.

270.14 Part B: where TW-18 is identified by function in the Part B application, the language should be deemed to be changed to reflect that TW-18 is being disconnected from the recovery system, but is being maintained for use as a monitoring well for purposes of making water level measurements.

270.15 Part B (containers): no changes.

270.16 Part B (tanks): no changes.

270.17 Part B (surface impoundments): no changes.

270.18 Part B (waste piles): no changes.

270.19 Part B (incinerators): no changes.

270.20 Part B (land treatment facilities): no changes.

270.21 Part B (landfills): no changes.

270.62 Incinerator permits: no changes.

270.63 Land treatment demonstrations: no changes.

In accordance with 40 CFR 270.42(a)(ii), KNC will send a notice of the Permit modification to all people on the facility mailing list within ninety days following receipt of KDHE approval of this request.

If you have any questions regarding this request or the attachments, please contact AnnieLaurie Burke, Environmental Compliance Leader, at (620) 227-8631, Ext. 350.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. With the exception that certain information in the attachments may not reflect modifications to the Permit previously requested by KNC, as described above, based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,



Gary J. LeRock
Plant Manager

Enclosures

cc by certified mail, w/ encl.

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U.S. EPA, Attn: Chief, RCRA Corrective Action and Permits Branch
Air, RCRA and Toxics Division, 901 N. 5th St., Kansas City,
Kansas 66101 (2 copies)

cc by certified mail, w/ encl.

7007 0710 0009 4183 2225

Andrea Stone, US EPA

cc by electronic copy:

Tom Siegrist, KMS, Wichita
Jim Perkins, KNC Dodge City
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cc for file:

AnnieLaurie Burke, KNC Dodge City