



KOCH NITROGEN COMPANY

CERTIFIED MAIL: RETURN RECEIPT REQUESTED:

October 29, 2008

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

7007 0710 0009 4181 0629

Chief of the RCRA, Corrective Action & Permits Branch
Air, RCRA and Toxic Division
U.S. Environmental Protection Agency – Region VII
901 North Fifth Street
Kansas City, Kansas 66101 (2 copies)

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**RE: Koch Nitrogen Company – Dodge City Facility
Post Closure and Corrective Action Permit, EPA ID No. KSD 044625010
RO Equalization Basin Repair and Upgrade/ Temporary Shutdown of Recovery Wells**

Ladies/Gentlemen;

By this letter, Koch Nitrogen Company (KNC), as the owner and operator of the Dodge City Nitrogen Plant located near Dodge City, Kansas, hereby submits a request for a temporary authorization from the Kansas Department of Health and Environment (“KDHE”) under Part I, Section IV.C.3 and IV.C.4 of its RCRA Post Closure and Corrective Action Permit (the “Permit”) to conduct a temporary shutdown of the wells within the recovery well network for a period of approximately 15 calendar days to allow KNC to perform repair and upgrades to the RO Equalization Basin (formerly known as the Andco Effluent Clarifier Basin), located east of the Phase I building on the Facility’s groundwater recovery and treatment system. The repairs and upgrades would be performed as soon as practicable after the completion of the fourth quarter groundwater monitoring event, and would include the following:

- Field design and installation of a liner system including leak detection;
- Draining, cleaning and surface preparation of the basin;
- Stabilization of the basin through addition of a reinforcing steel band around the perimeter of the basin;
- Evaluation of the existing roof of the basin; and repair, replacement or removal depending on its condition; and



- Leak testing and integration of the upgraded equipment into the treatment system.

During the shutdown period, KNC will obtain static water level measurements on the system and will sample selected wells for total Cr, nitrate and nitrite at two intervals to monitor potential hydraulic and chemical changes near the Facility boundaries and in the area of private (residential) wells. At the end of the shutdown period, KNC will initiate the startup of the system gradually and continue appropriate monitoring to verify the integrity of the Basin repair and upgrades.

Background

In March 2007, pursuant to a Class 1a RCRA permit modification issued by the Kansas Department of Health and Environment (KDHE), KNC replaced the Andco unit with a new recovered water reverse-osmosis (RO) system (RO System) for removal of chromium and nitrate from recovered groundwater. At that time, the Andco effluent settling basin was converted to service as the influent equalization basin for the recovered water RO System, allowing for both consistent flows to the unit and removal of the settleable sand and silt contained in the influent recovered groundwater prior to treatment in the RO unit.

In November 2007, KNC discovered cracks in the Basin's north, east and west walls. Following notification to KDHE and EPA, KNC temporarily drained the basin; removed, containerized and sampled the sludge; and had the basin inspected internally and externally by a licensed structural engineer. The basin was placed back in service at a lower water level to reduce stress to the side walls. Analytical results showed that the sludge in the basin was not a hazardous waste and the sludge was removed for proper disposal. The engineer's final report on the basin was issued on June 19, 2008 and included recommendations of several alternative remedial measures. KNC has evaluated the options, and will follow the engineer's recommendations for repair by lateral reinforcement with a steel "ring", and an internal liner to ensure the basin's future integrity. This option will provide the required long-term stability and water resistance to the basin, while minimizing the period of time during which the recovery wells need to be shut down. KNC expects that the groundwater recovery system will need to be shut down for no more than fifteen calendar days. If field conditions encountered during the work indicate that a longer shut down is necessary, KNC would immediately contact KDHE to discuss.

During the meeting of KDHE, the U.S. Environmental Protection Agency (EPA) and KNC representatives in EPA's offices on July 25, 2008 to discuss the second phase of the RCRA field investigation, KNC presented an update on the evaluation of options for addressing the repair of the basin. At that time, EPA indicated that KNC is not required to obtain an approval from EPA for this maintenance activity under the Part II Permit, as the activity addresses what is currently a Part I Permit requirement.

If you have any questions about this request, please do not hesitate to contact AnnieLaurie Burke 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,

A handwritten signature in cursive script that reads "Gary J. LeRock". The signature is written in black ink and includes a long, sweeping horizontal line at the end.

Gary J. LeRock
Plant Manager

Cc: Tom Siegrist, KMS, Wichita (electronic copy)
AnnieLaurie Burke, KNC Dodge City