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RCRA

K. KOCH

KOCH NITROGEN COMPANY

CERTIFIED MAIL; RETURN RECEIPT REQUESTED:

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November 17, 2008

Ms. Andrea Stone
U.S. Environmental Protection Agency - Region VII
Air, RCRA, and Toxics Division
901 North 5th Street
Kansas City, KS 66101 (2 copies)

RCAP RECEIVED**NOV 19 2008**

**Re: Third-Party Damage to Recovered Water Header South of TW-85
Weather Damage Leakage from TW-89
Koch Nitrogen Company, Dodge City Nitrogen Plant, Dodge City, Ford County, KS
EPA I.D. No. KSD044625010**

Dear Ms. Stone:

Under its Hazardous Waste Management Permit (the Permit), Koch Nitrogen Company (KNC), the owner and operator of the Dodge City Nitrogen Plant located near Dodge City, Kansas, operates a groundwater collection and treatment system. This system collects groundwater from areas around the Plant and treats the groundwater to remove hexavalent chromium (Cr+6), which may be present in the groundwater as a result of historic operations at the Facility.

KNC is notifying the U.S. Environmental Protection Agency (EPA) by this letter of two incidents involving a release of recovered groundwater: (i) on November 6, 2008, during a high wind event, wind-borne debris impacted well TW-89, causing the valve to open and leak for a short period of time, and (ii) on November 7, 2008, third-party excavation operations damaged the recovered water header east of the Plant boundary south of TW-85, causing a release of recovered groundwater.

On November 6, KNC was conducting the scheduled routine sampling event, and found that debris borne by the high winds had impacted the above-ground valve appurtenance at TW-89, causing about 50 gallons of recovered groundwater to be released onto the ground. The most recent groundwater analytical data (May 2008) for TW-89 indicated that the water recovered from this well has a total chromium (Cr) concentration of 0.012 mg/l, and a nitrate-nitrite concentration of 74.6 mg/l. Thus, the water released during this event would have a maximum Cr content of 0.002 grams (5.0 E-6 lbs). By comparison, the Cr concentration threshold for aqueous hazardous waste under 40 CFR 261.24, Table 1 is 5.0 mg/l, and the reportable quantity for chromium under 40 CFR Part 302 is 5000 pounds in a 24-hour period.

On November 7, KNC was notified by Servi-Tech Labs that they had struck KNC's groundwater recovery header line approximately 350 feet south of TW-85. Servi-Tech had been performing soil sampling with a direct-push drilling rig in this area, which is part of the Dodge City Services (DCS) facility. The impacted header line is part of the system that KNC operates to extract and treat groundwater impacted by historical operations at the Plant. KNC had not been notified by Kansas One-Call, the rig operator, or DCS of any drilling activity prior to the notification of the incident. KNC immediately shut down the wells to stop the release, and also contacted KDHE. The KNC team documented the damage and water release with photos, and sampled the leak. KNC was able to have the damage repaired on an emergency basis the morning of November 8, and the system was returned to service before noon of that day. The quantity of recovered water released to the ground is estimated to be approximately 48,000 gallons, based on visual observation and data from the recovered water system monitoring equipment. Analysis of a sample collected from the leaking pipe indicated a Cr concentration of 0.071 mg/l, and a nitrate-nitrite concentration of 77.0 mg/l. Thus the water released during this event would have a maximum Cr content of 12.9 grams (0.028 lbs).

Due to the small quantity of chromium involved in both incidents, and the fact that the releases consisted of unaltered groundwater, it is not clear whether the incidents would constitute release events required to be reported under Part II, Section C.4 of the KNC Permit. This section requires written notification of any release of hazardous waste or hazardous constituents identified during the course of groundwater monitoring within fifteen days after discovery. Please consider this letter to constitute a Section C.4 notification in the event EPA determines that either of these events are subject to this requirement.

By this letter, KNC is also notifying the Kansas Department of Health and Environment in writing, in accordance with K.A.R. 28-48-2, of these events. Based on their previous guidance on state reporting requirements, KDHE does not consider this incident to be a reportable release because of the *de minimis* quantity of chromium involved, and the fact that the substance released was unaltered local groundwater that had just been removed from the ground.

KNC will prepare an addendum to the previously-approved sampling plan noted above to assess the impact of these most recent incidents. If you have any questions or require additional information regarding these matters, please contact AnnieLaurie Burke (620) 227-8631 ext. 350.

In accordance with Section B.2.b of the Permit and 40 CFR 270.11, 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. 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,
KOCH NITROGEN COMPANY



Gary J. LeRock
Plant Manager

cc: Mr. Kent Schierkolk
Kansas Department of Health & Environment
Bureau of Environmental Remediation
1000 SW Jackson
Topeka, KS 66612-1366

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1000 SW Jackson, Suite 320
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Thomas Siegrist, KMS Wichita, KS (electronic copy)
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