



JESSICA E. MERRIGAN
(816) 460-5706
EMAIL: JMERRIGAN@LATHROPGAGE.COM
WWW.LATHROPGAGE.COM

RECEIVED
DEC. 19 2008
BUREAU OF WASTE MANAGEMENT
2345 GRAND BOULEVARD
SUITE 2800
KANSAS CITY, MISSOURI 64108-2684
(816) 292-2000 FAX (816) 292-2001

December 19, 2008

VIA OVERNIGHT DELIVERY

Mr. Brian Busby
Kansas Department of Health and Environment
1000 SW Jackson Street, Suite 320
Topeka, Kansas 66612-1366

Re: Koch Nitrogen Company Dodge City Nitrogen Fertilizer Facility
Application for Solid Waste Facility Permit Transfer
Business Concern Disclosure Statement Form I

Dear Mr. Busby and Mr. Kamal:

Following up on my December 12, 2008, e-mail to you, please find enclosed the following original documents requested by KDHE:

- Request for Class I Administrative Change;
- Request for Solid Waste Facility Permit Transfer;

-Business Concern Disclosure Statement Form I for Koch Nitrogen Company, LLC. As we have discussed, Koch Nitrogen Company, LLC is a newly created entity, wholly owned by Koch Nitrogen Company's parent Koch Mineral Services, LLC, with no current operations. As requested by KDHE, the enclosed Form I includes corporate structure, parent and subsidiary, director, key employee and experience credentials as they are expected to exist upon the date of the merger, in order to allow KDHE to complete the necessary background review.

in financial assurance file. 85

Please note that the first page of the Request for Solid Waste Facility Permit Transfer has been corrected from the version originally sent to reflect the proper permit number. In addition, the first page of the Business Concern Disclosure Statement has been corrected from the version originally sent to reflect the proper county. We apologize for these errors.

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If you have any questions or need any additional information in order to complete your review, please do not hesitate to contact me at (816) 460-5706, or Laurie Sahatjian with Koch Industries, Inc. at (316) 828-8499. We sincerely appreciate KDHE's assistance in this matter and consideration in helping us achieve the proposed timeline for the change.

Sincerely,

LATHROP & GAGE L.C.

By:



Jessica E. Merrigan

JEM:bkr
Enclosures

cc: **Mr. Mostafa Kamal**
Ms. Nancy Ulrich, KDHE Office of Legal Counsel (w/out encl)
Ms. Laurie Sahatjian, Koch Industries, Inc.