

03 JUN 2009

MEMORANDUM

SUBJECT: Meeting Notes from meeting held between EPA, Koch Nitrogen Company, LLC and KDHE  
May 15, 2009  
Koch Nitrogen Company, LLC  
EPA I.D. #KSD044625010

FROM: Andrea R. Stone, Environmental Scientist  
RCRA Corrective Action & Permits Branch

TO: RCRA Records Center File

The U.S. Environmental Protection Agency, Region 7 (EPA), the Kansas Department of Health and Environment (KDHE), and Koch Nitrogen Company, LLC (KNC) held a meeting on May 15, 2009, at EPA's Regional Offices located at 901 North 5<sup>th</sup> Street, Kansas City, Kansas.

The purpose of the meeting was to discuss EPA's April 2, 2009, comment letter on KNC's Initial Interim Measures Work Plan-Groundwater Recovery System Optimization. The Agenda, sign-in sheet, and related documents are attached to this memorandum. KNC supplied a CD with sampling results, which is not attached to this memorandum.

Attendees included: Andrea R. Stone-EPA; Randy Rohrman-EPA; Everett Spellman-KDHE, Tom Siegrist-KNC Corporate Office, Gary LeRock-KNC, Dodge City, KS, AnnieLaurie Burke-KNC-Dodge City, KS, and Cory Zeller-KNC-Dodge City, KS.

Prior to discussion of the comments, EPA had a discussion on utilizing Green Remediation at the Dodge City, KS facility such as wind power and solar energy. EPA said that KNC would need to research the issue and cost it out, but potentially the wind power and/or solar power would generate enough power to run KNC's groundwater recovery system, reverse osmosis system or maybe even the entire plant. EPA mentioned that the wind is always blowing very hard when they visit, and the Dodge City, KS facility location appeared to be an ideal location to utilize wind turbines. EPA mentioned that previously KNC said there was a wind farm several miles away.

EPA/KNC and KDHE discussed all of the comments in the comment letter and reached the agreements/clarifications listed below at the meeting. EPA sent a letter to KNC with the following agreements/clarifications:

Based on discussion at our meeting, KNC will submit the responses to EPA's April 2, 2009 comment letter within thirty (30) days from the date of our May 15, 2009 meeting, making the due date for the responses **June 15, 2009**. KNC will also include a statement that KNC will

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submit a groundwater characterization work plan within sixty (60) days of our meeting. We will defer the revision of the IMWP until after KNC completes characterization of the groundwater. KNC will submit the Groundwater Characterization Work Plan which will include EPA's recommendations contained in the comment letter dated April 2, 2009, and discussion at our meeting. The Groundwater Characterization Work Plan will incorporate EPA's recommendations for additional wells, as well as the agreements/clarifications described below.

Agreement was reached that KNC will focus first on the groundwater and soil speciation of the Chromium in the wells surrounding AOC 1 and within the AOC1-site of the Chromic Acid Solution 1,200 gallon spill, respectively. For the soil speciation of Chromium, KNC will go back to the previous soil sampling locations around/within AOC 1, described in the Phase II RFI Work Plan approved by EPA with comments October 14, 2008. Based on the comments KNC submitted revised pages to the Phase II RFI Work Plan dated November 11, 2008. Soil sampling locations for AOC 1 are depicted on Figure 14, dated November 2008. Interim measures at AOC 1 will be deferred until the Chromium speciation of the groundwater and soils are completed. Based on the results, KNC and EPA will discuss what interim measures should be conducted.

Agreement was also reached that KNC will gather information on the surrounding properties private/agricultural/irrigation wells, etc. Information will include pumping rates of the wells, screen length, depth of well, depth of where the well screen is located, how often are the wells used, etc. This information will be sent in prior to submittal of the Groundwater Characterization Work Plan.

Clarification was provided for "Geologist Comments" 2.a. that each well in the two (2) well clusters will be located within approximately ten (10) feet of the other well comprising the well cluster.

Agreement was reached with regard to the "Geologist Comments" for number 2.f. that KNC will install wells between KNC's property boundary and Mr. Bogner's property, instead of South of Bogner's property. This was agreed to in an effort to establish if the Nitrates/Nitrites are coming from KNC's property. If it is established that the Nitrates/Nitrites are coming from KNC's property, KNC will install additional wells South – Southeast in an effort to determine the extent of nitrate/nitrite contamination in groundwater.

EPA is sending a letter to KNC detailing all of the agreements/clarifications.

Attachments (5)

Agenda

Sign-In Sheet

Koch map with EPA hand-drawn additional well locations

KDHE Potentiometric Surface Map

KDHE SWL Meter vs Sonic Meter diagrams (monitoring wells & recovery wells)

bcc: Stone, RCAP

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