



KOCH NITROGEN COMPANY LLC

July 29, 2009

UPS Tracking #
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)

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RCAP RECEIVED

JUL 31 2009

**Re: Leakage from Equipment Failure at Recovery Well TW-83
Koch Nitrogen Company, LLC 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, LLC (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) and other constituents of concern, 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 the failure of equipment associated with recovery well TW-83 that was found during the recent sampling event. On July 9th, while performing the 3rd quarter well gauging and inspection, KNC personnel discovered that the pump in TW-83, and its associated check valve, had failed. KNC had replaced the motor in this pump as part of its recovery well system maintenance program in 2008. The failure of the pump allowed water from the header to flow through the pump and into the casing. It appeared that the header water had flowed in at a greater rate than the formation/screen could handle. This caused the water to fill up the casing and eventually overflow onto the ground. The impacted ground surface covered an area approximately 40 ft x 30 ft west of TW-83. The ground had been recently tilled, and there were no deep ruts in the wet soil. This indicates that leakage happened after the recent tilling (i. e., within the last 30 days).

Groundwater from TW-83 was sampled and analyzed for chromium, and analysis indicated a concentration of total Cr of 0.181 mg/l and a concentration of nitrate/nitrite (NO₃+NO₂ as N) of 18 mg/l. Based on observation of the well, KNC personnel estimate that the leakage rate from TW-83 could have been up to a maximum of 1 gallon/minute. This would equate to a total of 0.065 lb. of Cr and 6.5 lb. of nitrate over the 30-day period if the worst case of leakage and the worst case of duration are assumed.

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RCRA

Due to the small quantity of chromium and nitrate/nitrite involved, and the fact that the release consisted of unaltered groundwater, KNC believes this event does not qualify as a release 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.

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 and nitrate/nitrite involved, and the fact that the substance released was unaltered local groundwater that had just been removed from the ground.

KNC proposes to add the area impacted by this incident to its previously-approved work plan that covers miscellaneous leakage events associated with the recovered water system (approved November 8, 2008), with six hand auger boring locations to be sampled in accordance with the methods in that work plan. KNC will prepare an addendum to the previously-approved sampling plan noted above for this work.

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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Kansas Department of Health & Environment
Bureau of Waste Management
Hazardous Waste Permits Section
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