



KOCH NITROGEN COMPANY LLC

October 30, 2009

UPS Tracking Number.

1Z 693 661 03 9478 8287

Everett Spellman
Professional Geologist
Hazardous Waste Permits Section
Kansas Department of Health and Environment
Bureau of Waste Management
1000 SW Jackson St., Suite 320
Topeka, KS 66612-1366

Re: Koch Nitrogen Company – Dodge City Facility
Post Closure Permit, EPA ID No. KSD 044625010
Responses to the 2009 Groundwater O&M Report, dated September 3, 2009

Dear Mr. Spellman:

KNC appreciates the recommendations you provided in the referenced report to assist our facility in improving the groundwater monitoring and recovery system, and the additional information relative to the report that you shared at the meeting with EPA and KNC at the Region 7 offices in Kansas City on May 15. In response to the deficiencies you noted in the letter accompanying the O&M Report, KNC has developed the responses and schedule presented below.

Of the six deficiencies noted, KNC resolved four of these immediately following the May 15 meeting, as noted below. KNC looks forward to working with you to fully resolve the remaining two issues, which are due to historic system design and configuration factors. In the following tabulation, KNC has presented our response as a bulleted paragraph, following the KDHE statement in italics:

1. *KDHE noticed evidence of water retention near Well TW-38, which is located in a surficial depression. KNC must grade this area to prevent retention of water around this well.*
 - It appears that water retention is a historical issue at this location, as TW-38 is one of the original wells installed by the former owner during the 1981-82 timeframe. KNC is currently evaluating trenching, grading and other options for permanent elimination of the conditions that cause standing water at TW-38. As noted on the schedule below, KNC will select the best method and complete this work before the next scheduled quarterly sampling event (mid-January), weather permitting.

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P.O. Box 1337
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RCRA

2. *The date recorded on the field forms document that static water levels were measured on Sunday, July 13, 2008. KDHE was present to observe water level measurements on July 14, 2008. Please clarify if static water levels were measured on both days or if an incorrect date was recorded on the field forms. KNC must ensure that field documentation is complete and accurate.*
 - All water level measurements were performed on Monday, July 14. KNC personnel mistakenly wrote July 13 on the forms. KNC apologizes for the confusion. To avoid future confusion, KNC has instructed field personnel to present the date in the format "day of the week, numerical date".

3. *The groundwater monitoring system in use at the facility incorporates a combination of groundwater monitoring wells and recovery wells. As mentioned in Section 6.0, the impact of the recovery system on the groundwater flow cannot be determined unless a separate system is in place to measure static water levels in the aquifer. KDHE recommends KNC submit a proposed monitoring system for review by KDHE and EPA.*
 - Separation of the combined monitoring and recovery system, as installed by the Plant's previous owner, was one of the goals of the optimization study that KNC undertook in 2006 under the permit authorization from KDHE (July 14, 2006). Based on those findings and other data, KNC proposed changes to the system as an interim corrective action as part of the Phase II investigation workplan submitted in September 2008. After further discussions among EPA Region 7, KDHE and KNC, most recently at the meeting at EPA Region 7 offices on May 15, 2009, it was agreed that further groundwater and water level characterization would be needed prior to any major re-design of the system. KNC is submitting a revised workplan to EPA this month to accomplish this objective. KNC anticipates that the additional wells proposed in that plan for monitoring of groundwater quality and water levels will provide data from quiescent wells that will be sufficient to assess groundwater flow characteristics. Once the wells are installed and sampled, KNC anticipates that a few quarters of groundwater elevation and analytical data will support more extensive changes to the system to optimize both the monitoring and recovery functions. Assuming that wells can be installed by the end of the 2nd quarter of 2010, KNC projects that the proposed re-design of the system, along with the request for appropriate modifications to the Part 1 Permit, could be completed by December 31, 2010.

4. *KNC included the analytical data from the Feedmill Well or the Dodge City Services Well on the chromium and nitrate-nitrite plume maps. These wells are installed in the Dakota Aquifer and cannot be directly correlated with wells installed in the Ogallala Aquifer. KNC must exclude these data points from future maps.*
 - KNC revised the map format after the May 15 meeting referenced above. Water quality information from these wells will not be included on future contour maps representing

conditions in the Ogallala Aquifer. These wells were originally shown on the maps with the intention of indicating their position relative to other wells and surface features.

5. *Total depth measurements were not reported on field forms, but were discussed in the facility's annual report. KNC must provide documentation of all field measurements.*
 - KNC modified the field form following the May 15 meeting described above. The form now includes a place to record depth measurements and all other measurements that might be taken in the field.
6. See #3. Comment 6 appears to be identical to Comment 3.
7. *For the reasons described in Section 6.0, KDHE will no longer accept potentiometric surface maps that include depth-to-water data acquired from operating recovery wells using the Sonic meter. KNC must modify future maps to comply with this requirement.*
 - KNC modified all current potentiometric map formats to generate contours based only on non-pumping well data. This change was made immediately following the May 15 meeting referenced above.

Proposed KNC Schedule to Address Deficiencies

Def. no.	Proposed Date to Correct
1	1/15/2010 (weather permitting)
2	complete
3	12/31/2010 (contingent on construction timetable noted above)
4	complete
5	complete
6	See #3
7	complete

If you have any questions regarding this request or the attachments, please contact AnnieLaurie Burke, Environmental Compliance Leader, 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,



Gary J. LeRock
Plant Manager

cc:

via UPS, Tracking No.

1Z 693 661 03 9267 8695

U.S. Environmental Protection Agency Region 7
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