

DEC 09 2009



KOCH NITROGEN COMPANY LLC

December 9, 2009

UPS Tracking Number1Z 693 661 03 9357 89431Z 693 661 03 9200 8551

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)

Kansas Department of Health & Environment  
Bureau of Waste Management  
Hazardous Waste Permits Section  
1000 SW Jackson, Suite 320  
Topeka, KS 66612-1366

Re: Leakage from Crack in Former Andco Basin  
Koch Nitrogen Company, LLC Dodge City Nitrogen Plant, Dodge City, Ford County, KS  
EPA I.D. NO. KSD044625010  
Notification of Release Event

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 (Cr6), which may be present in the groundwater as a result of historic operations at the Facility.

KNC previously reported by letter of December 6, 2007 that leakage had occurred from the former Andco effluent clarifier basin, which forms part of the treatment system used to treat recovered groundwater under the Permit and as an equalization basin for a reverse-osmosis (RO) system.

In response to that event, KNC hired an engineering firm to design a liner system and reinforcement for the basin and by letter of November 5, 2008, the Kansas Department of Health and Environment (KDHE) approved a proposal from KNC to perform repair and upgrades to the basin, including design and installation of a liner system, draining, cleaning, and surface preparation of the basin, stabilization of the basin through the installation of a steel reinforcing band, and replacement of the basin roof. KNC completed this work in November 2009, but has just discovered additional leakage from the repaired basin.

By this letter, KNC is notifying the KDHE and U.S. Environmental Protection Agency (EPA) that it appears new leakage has occurred at the former Andco effluent clarifier basin.

620.227.8631 Tel  
620.227.6016 Fax

11559 U.S. Highway 50  
P.O. Box 1337  
Dodge City, Kansas 67801-1337



On November 30, 2009, KNC noted seepage from a crack in the repaired basin's wall. Further evaluation on December 1, 2009 indicated that there was also water accumulated in the interstitial areas between the liner and the basin wall. KNC began draining the basin that evening and by the morning of December 2, 2009 the leakage had stopped. KNC finished draining the basin and the liner was inspected. Upon inspection a hole in the liner was discovered and repaired. The water was removed from behind the liner and the basin was put back into service on the evening of December 3, 2009. KNC is periodically monitoring the leak detection tubes for accumulating water in the interstitial areas between the liner and the basin wall. Throughout the entire repair the recovery wells remained in continuous operation by diverting the influent directly to the wastewater system.

The basin collects a mixture of raw water from the Plant's production wells and recovered water from the groundwater collection system operated pursuant to the Permit. Evaluation of seepage from the basin indicated a total release of approximately 0.5 liters of water. Analysis of the water in the basin from 2007 indicated 0.08 mg/l total chromium. Based on this analysis the seepage would have contained approximately  $9 \times 10^{-08}$  lbs of total chromium. Due to the small amounts involved, it is not clear whether the incident would constitute a release event required to be reported under Part II, Section C.4 of the Permit. This section of the Permit 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 the event is subject to this requirement.

By this letter, KNC is also notifying KDHE of this event, in accordance with K.A.R. 28-48-2. Based on their previous guidance on state reporting requirements, we believe KDHE would not consider this incident to be a reportable release under 28-48-2 because of the *de minimis* quantity of total chromium involved, and the fact that the substance released is unaltered local groundwater, mixed with surface water.

If you have any questions or require additional information regarding these matters, please contact Elise Stucky-Gregg (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:

Tom Siegrist, Koch Fertilizer  
Elise Stucky-Gregg, KNC Dodge City  
Cory Zellers, KNC Dodge City