



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

JAN 04 2010

CERTIFIED MAILRETURN RECEIPT REQUESTED

Article Number: 7006 2760 0000 8649 4658

Mr. Gary J. LeRock
Plant Manager
Koch Nitrogen Company
P.O. Box 1337
Dodge City, Kansas 67801-1337

RE: Seepage of recovered groundwater from the Andco Basin on November 30, 2009
Koch Nitrogen Company
Dodge City, KS 67801
EPA I.D. #KSD044625010

Dear Mr. LeRock:

The U.S. Environmental Protection Agency (EPA) Region 7 is in receipt of Koch Nitrogen Company's (KNC's) letter dated December 9, 2009. In accordance with C.4. of Part II of the Permit, KNC's notified EPA of the discovery of seepage of recovered groundwater from a crack in the repaired Andco basin's wall.

As discussed at the December 29, 2009, conference call, C.4. of Part II of the Permit does not specify an "amount" that triggers the notification for a release. C.4. of Part II of the Permit requires notification, "of any release(s) of hazardous waste and/or hazardous constituents..." Reference to "pounds" of the release is not applicable to this RCRA permit.

KNC provided analysis from the water in the basin from 2007. As discussed on the call, this is not representative of the water that was released and noted by KNC on November 30, 2009.

As also discussed, the area of seepage will require some sampling to be conducted. This area can be included in the Phase II RFI sampling by submitting an Addendum to the approved Phase II RFI Work Plan. In the Addendum, please submit the information required in Permit Condition C.4., including, but not limited to, the number and locations of the samples for this area, along with a map, and reference the approved Sampling and Analysis Plan (SAP) and the Quality Assurance Project Plan (QAPP). Please include a timeframe for the sampling to be completed.

EPA requested and KNC agreed to provide a process diagram depicting the current production, treatment, uses, and disposal of all water at the facility. This would include water from all sources including water produced from the facility production wells located south of the facility, water produced by the contaminated groundwater recovery system, and also water from any other sources such as a municipal water supply. The process diagram should show the pathways for the water including all treatment processes and storage/equalization units, all uses of the water, and all endpoints and ultimate disposal of the water. The EPA is requesting this information because the installation and operation of the reverse osmosis treatment unit in place of the electrochemical treatment unit has resulted in significant operational changes in the facility water system.

Please submit and include all information required in Permit Condition C.4 on this newly identified release in an Addendum to the approved Phase II RFI Work Plan within fifteen (15) calendar days.

EPA appreciates KNC's willingness to participate in these impromptu conference calls, provide clarification, updates on the oil and gas exploration drilling and share process diagrams.

If you have any questions regarding this letter, please call me at 1-800-223-0425 extension 7662 or direct at (913) 551-7662.

Sincerely,



Andrea R. Stone
Environmental Scientist
Air, RCRA & Toxics Division
RCRA Corrective Action & Permits Branch

cc: Everett Spellman, Kansas Department of Health & Environment (KDHE)
Elise Stucky-Gregg, KNC-Dodge City
Cory Zellers, KNC-Dodge City