



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

MAR 19 2010

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7006 2760 0000 8647 5008

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

RE: Approval with comments, of Koch Nitrogen Company's (KNC's)  
Addendum No. 2 to the Phase II RFI Work Plan dated January 22, 2010  
Koch Nitrogen Company, Dodge City, KS  
EPA RCRA ID No. KSD044625010

Dear Mr. LeRock:

The U.S. Environmental Protection Agency (EPA) Region 7 is in receipt of the above-referenced Addendum. Based on a review by EPA of the Addendum, the EPA hereby approves this document with comments. In addition, with respect to Figure No. 1 of the Addendum, EPA requests additional information as specified below in Specific Comments 1. and 2. As you know, Section 3007 of the Resource Conservation and Recovery Act (RCRA) gives EPA the authority to request this information in order to determine your facility's compliance with the hazardous waste regulations.

General Comment:

1. KNC recently brought to EPA's attention that the flow patterns at KNC had changed. EPA requested an updated flow diagram. Based on our review of the "Groundwater Treatment Flow Diagram" included with the Addendum, we have identified several areas of concern. Please see the specific comments below.
2. The EPA would like some additional samples taken in the area of the TW-83 release. Please see specific comments below.

Specific Comments:

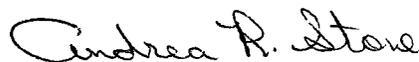
1. The "Groundwater Treatment Flow Diagram" (Figure 1 of the Addendum) shows "overflow" from the Recovery Well Reverse Osmosis (RO) Equalization Basin when the RO is not in service. Since the "overflow" is not treated, KNC will need to make a hazardous waste determination on that waste stream in accordance with 40 CFR § 262.11. The waste

determination can be accomplished by sampling the waste stream. Provide the documentation from the hazardous waste determination and any sampling results within thirty (30) calendar days from certified receipt of this letter.

2. In addition, the flow diagram shows the "concentrate (reject)" from the Recovery Well RO Equalization Basin going to the Waste Water System and then to the Disposal Well. KNC will need to make a hazardous waste determination on the "concentrate (reject)" after it comes out of the Recovery Well RO, in accordance with 40 CFR § 262.11. If this waste stream meets the RCRA definition of a hazardous waste, it must be managed and disposed of in accordance with the RCRA regulations. Provide the documentation from the hazardous waste determination and any sampling results within thirty (30) calendar days from certified receipt of this letter.
3. Figure 3: This figure shows the proposed sampling locations. Please add three (3) additional sampling locations in the approximate center of the diagram going in a horizontal direction. I have added dots to your figure to show approximate locations (see enclosure). In addition, please add a scale to this figure.
4. Page 5, Table 2. TW-83 Sampling ID and Location Description: Please add the additional sampling locations to this table.

Please send in the revised/replacement pages no later than thirty (30) calendar days from certified receipt of this letter. KNC may proceed with the investigation for the releases from the former Andco Basin and around TW-83. In addition, please also include the documentation from the hazardous waste determinations on the "overflow" and the "concentrate (reject)" within thirty (30) calendar days from certified receipt of this letter. If you have any questions regarding this letter, please call me at 1-800-223-0425 ext. 7662 or direct at (913) 551-7662.

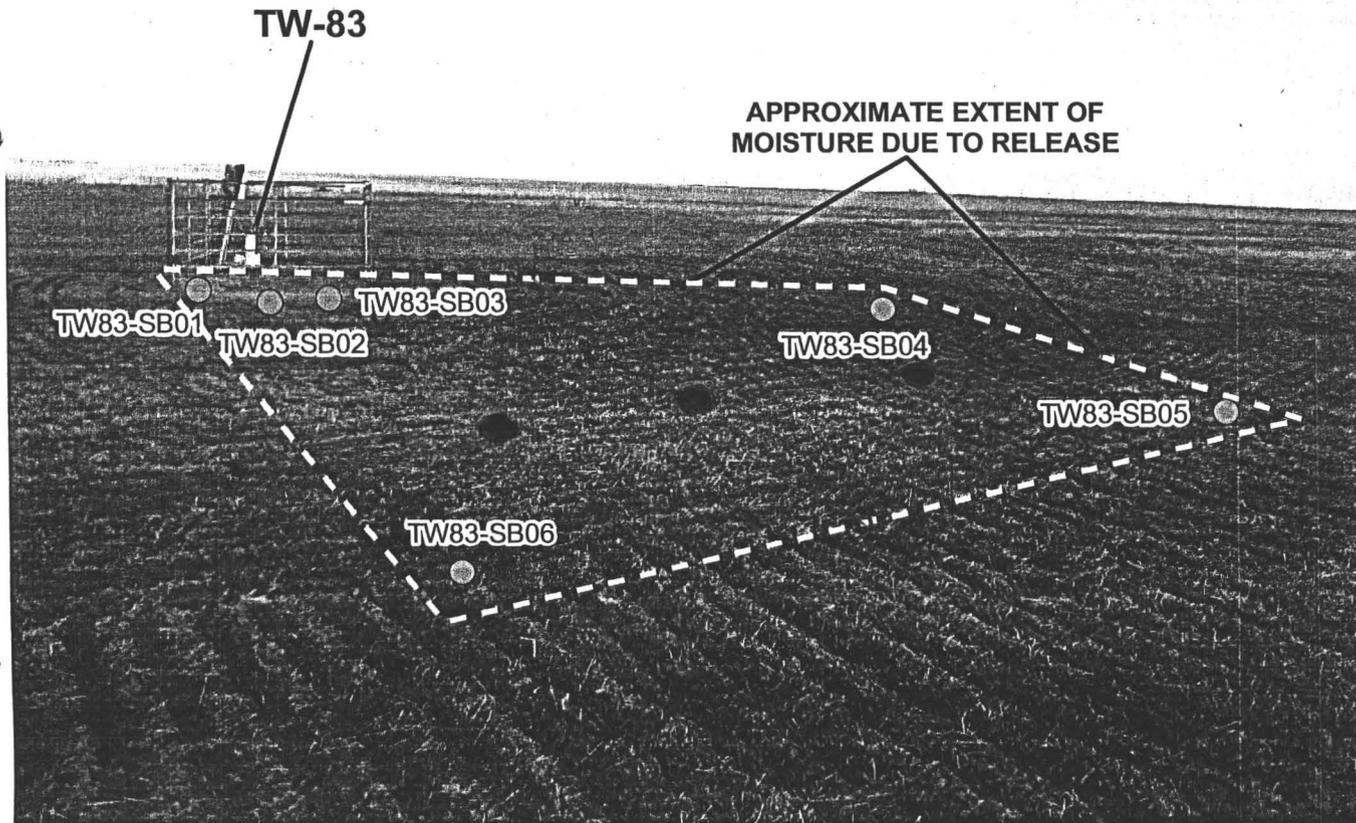
Sincerely,



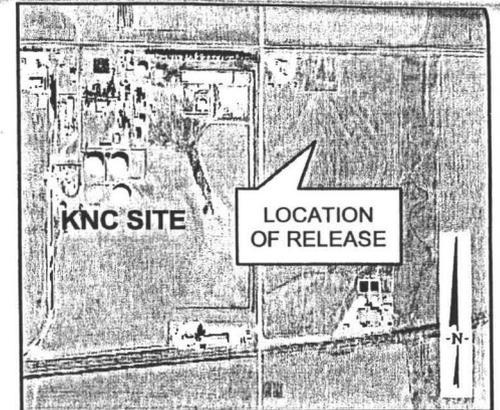
Andrea R. Stone  
Environmental Scientist  
Air and Waste Management Division  
RCRA Corrective Action & Permits Branch

Enclosure (1)

cc: Everett Spellman, KDHE (w/encl)  
Elise Stucky-Gregg, KNC-Dodge Office (w/encl)



LOCATION OF RELEASE (LOOKING EAST)  
AND PROPOSED SAMPLES



LEGEND.

● PROPOSED SAMPLE LOCATION

**TW-83 LEAKAGE  
SAMPLING LOCATIONS**

PREPARED BY:		 <b>KOCH</b> KOCH NITROGEN COMPANY <small>11500 US HIGHWAY 50 - P.O. BOX 1337          DODGE CITY, KS 67801</small>	
PROJECT NO.		FIGURE NO.	3
DATE.	1/21/2010	FILE NO.	