



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

SEP 23 2011

Mr. John P. Burns
VP, Koch Fertilizer Nitrogen Operations
Koch Nitrogen Company, Dodge City Plant
11559 U.S. Highway 50
P.O. Box 1337
Dodge City, Kansas 67801-1337

RE: Koch Nitrogen Company Letters Regarding Releases near TW-01A and the UAN Tank, dated September 12 and September 15, 2011, respectively
Koch Nitrogen Company Dodge City Plant
EPA I.D. #KSD044625010

Dear Mr. Burns:

The U.S. Environmental Protection Agency Region 7 has reviewed the above-referenced letters.

The Koch Nitrogen Company (KNC) notified EPA of a release in accordance with Permit Condition C.4 of the Part II Permit in a letter dated September 12, 2011. According to the letter, the release to soil consisted of approximately 200 gallons of unaltered (untreated) groundwater from a leak in a coupling on the recovery well piping near TW-01A. This spill is considered an "Area of Concern" (AOC) and will require investigation under the Part II portion of KNC's Permit. In accordance with Permit Condition C.4., EPA is notifying KNC that a work plan is necessary to describe the investigation for this AOC.

KNC has proposed to investigate this area during implementation of the Resource Conservation and Recovery Act (RCRA) Facility Investigation Phase II Tier II Work Plan (RFI WP). The RFI WP has already been submitted, and will be revised following receipt of EPA's comments on the RFI WP and in accordance with this letter. KNC will propose boring locations, in the revised RFI WP, to evaluate the impacts of this incident, and sampling will be performed in accordance with the methods described in the revised RFI WP, following Agency approval. The EPA is in agreement with KNC's proposal. Please include all information necessary to investigate this recent AOC/release, such as, but not limited to, sampling locations identified on a map/figure, sampling depths, number of samples, equipment used, sampling methods, constituents to sample for, and Quality Assurance information in the revised RFI WP. Also identify TW-01A as a release location on a facility-wide map to be included in the revised RFI WP.

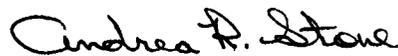
KNC also submitted a letter on September 15, 2011 notifying EPA of the discovery of a UAN Product Release outside the secondary containment system. As discussed on our September 19, 2011 conference call, EPA stated that a release from a product tank is regulated under RCRA because once a product is no longer used for its intended purpose, it becomes a waste.

KNC has already conducted sampling at the UAN spill location. EPA feels the sampling locations and depths are appropriate to characterize this area, and EPA believes that no additional soil sampling is necessary in this area.

The location of the release with respect to the existing monitoring well network (including the newly-installed wells) is such that should the release impact groundwater, the existing wells would likely be sufficient to detect and characterize any impact. Please identify the tank (name and tank number) where the UAN release occurred and identify it as a release location on a facility-wide figure that will be included in the revised RFI WP. Please note: Any future releases must be investigated through an EPA-approved work plan.

If you have any questions regarding this letter, please call me at 1-800-223-0425 extension 7662 or direct at (913) 551-7662. I may also be reached by email at stone.andrear@epa.gov.

Sincerely,



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

cc: Everett Spellman, KDHE
Elise Stucky-Gregg, KNC, Dodge City Plant