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AWMD/WRAP-MIRP



KOCH NITROGEN COMPANY LLC

January 19, 2012

UPS Tracking Number

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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)

Re: Recovery Water Release From Recovery Well TW-85
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) and other constituents of concern, which may be present in the groundwater as a result of historic operations at the Facility.

By this letter, KNC is notifying the U.S. Environmental Protection Agency (EPA) that approximately 120 gallons of recovered groundwater were released from recovery well TW-85. On January 4, 2012, water was observed dripping from an open sample point on recovery well TW-85. The open valve was closed and the handle on the valve was removed to prevent an accidental opening in the future.

Given the fact that the release consisted of unaltered groundwater and the groundwater was determined to be a nonhazardous waste, it is not clear whether the incident would constitute a release required to be reported under Part II, Section C.4 of the KNC Permit. This section 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 this incident is subject to this requirement.

By this letter, KNC is also notifying the Kansas Department of Health and Environment in writing of these events, consistent with K.A.R. 28-48-2. Based on previous guidance from KDHE, we

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

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RCRA

understand the agency would not consider this incident to be a reportable release because the substance released was unaltered local groundwater that had just been removed from the ground.

KNC proposes to sample the area impacted by this incident during implementation of the RFI Phase II Tier II Work Plan. This plan has been submitted to EPA but will be revised following receipt of comments from EPA and the Kansas Department of Health and Environment. When KNC revises the plan, KNC will propose boring locations to evaluate the impacts of this incident and sampling will be performed in accordance with the methods in that work plan, following agency approval.

If you have any questions or require additional information regarding these matters, please contact Elise Stucky-Gregg (620) 371-7910.

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, LLC


Michael J. Sherbak II
Plant Manager

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

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