



**Environmental
Protection Agency**

John R. Kasich, **Governor**

Adam Pappas, **Lt. Governor**

Robert R. Holm, **Director**

January 25, 2011

NOTICE OF VIOLATION

Ron Bird, Executive Vice President
Buckingham Coal Company
P.O. Box 400
Corning, Ohio 43730

Dear Mr. Bird:

The Underground Injection Control (UIC) Section of Ohio EPA's Division of Drinking and Ground Waters (DDAGW) received Buckingham Coal Company's monthly operating report for December 2011 submitted on January 13, 2012.

This monthly operating report does not demonstrate compliance with the requirements of Buckingham Coal Company's Class V UIC permit: UIC 05-05-05-PTO-V and Chapter 3745-34 of the Ohio Administrative Code (OAC) for the following reasons:

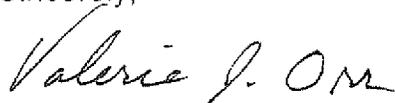
- The data presented in the table summarizing the ground water sampling event that took place on December 12, 2011 does not correspond with the data contained in the laboratory sheets for monitoring wells MW-1 to MW-4. Please submit a revised summary table with corrected values.
- The December monthly report states on page 1 that: *"All samples were received at 7.2 degrees C."* Buckingham Coal Company's Approved Sampling and Analysis Plan (SAP) submitted on November 30, 2009, states on page 10 that: *"All water samples will be stored in coolers with sufficient quantity of ice in order to maintain a minimum of 4° C. These coolers will be sent directly to the laboratory immediately upon completion of sampling. The samples will be stored at < 4° C at the laboratory. The internal temperature of the coolers will be noted in the sampling log."*
- The temperature of the samples exceeds the required value of 4° C and there is no indication in the report that ice was used in the coolers. This is a violation of Buckingham's UIC Class V Permit number: UIC 05-05-05-PTO. Please ensure that the personnel conducting the sampling are aware of this requirement. Failure to maintain proper sample temperature may make it necessary to resample to ensure accurate analytical results.

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- December results for barium have increased dramatically in MW-1, MW-2 and MW-4 at 101 mg/l, 75 mg/l and 44 mg/l respectively. MW-3 appears to remain stable. Previous results submitted in September 2011 were 0.133 mg/l, 0.086 mg/l and 0.049 mg/l respectively. The new values reflect an increase of 758.4%, 871.1% and 897% respectively. Have there been any changes in either Buckingham's operations or the laboratory procedures that would account for the substantial increase in barium levels? Please ask Ream and Haager if they have changed any lab protocols that would account for the increase.

If you have any questions concerning this letter, please contact me at (614) 644-2752

Sincerely,



Valerie J. Orr
Class V Coordinator
UIC Program
Division of Drinking and Ground Waters

buckingham.mor.receipt.ltr.Dec2011.doc

cc: Lindsay Taliaferro, III, Manager, UIC Program, DDAGW