



Environmental Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

August 16, 2012

Belmont Co.
**RE: Marietta Coal
Return to Compliance**

Mr. John Nicolozakes
67705 Friends Church Rd
St. Clairsville, OH 43950-9720

Dear Mr. Nicolozakes:

In a letter dated May 12, 2011, Ohio EPA provided notice of violations occurring at Marietta Coal located in Bellaire, Ohio. On August 15, 2012, Ohio EPA performed a follow-up inspection of Marietta Coal to determine compliance with Ohio's solid waste laws and regulations. As a result of the inspection, Ohio EPA determined that Marietta Coal abated the following violations:

Citation	Requirement	Action taken
ORC Section 3734.03	Open dumping prohibited	Facility provided receipts and pictures of clean up and disposal of solid waste and tires through-out the year. A final inspection was conducted on August 15, 2012.
OAC Rule 3745-27-05(C)	Open dumping prohibited	Facility provided receipts and pictures of clean up and disposal of solid waste and tires through-out the year. A final inspection was conducted on August 15, 2012.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator, or others, from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Resource Conservation and Recovery Act, or Comprehensive Environmental Response, Compensation, and Liability Act for remedying conditions resulting from any release of contaminants to the environment.

If you have any questions regarding this letter, please contact me by telephone at (740) 380-5228 or by e-mail at erika.jackson@epa.ohio.gov.

Sincerely,

Erika Jackson, R.S.
Environmental Specialist
Division of Materials & Waste Management

EJ/cb