



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korteski, Director

May 28, 2008

**Re: Belmont County
Marietta Coal Co.
Bellaire Refuse Disposal Area
NPDES Permit #0IL00101*BD
Self-monitoring Report Violations
Correspondence (IWW)**

Mr. John Nicolozakes
Marietta Coal Co.
67705 Friends Church Road
St. Clairsville, Ohio 43950

Dear Mr. Nicolozakes:

Your NPDES permit expires on July 31, 2008. We have not received your renewal application as of the date of this correspondence, which was required to be submitted 180 days prior to expiration. If you have not done so, please submit your renewal application as soon as possible. If the permit expires, your discharges will be unauthorized after that date.

We have received your self-monitoring reports covering the months of January 2007 through March 2008 for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance and/or deficiencies are as follows:

Outfall	Parameter	Type	Units	Limit	Reported	Date
January 2007						
004	pH	1D Conc	SU	6.5	6.3	1/19/2007
March 2007						
001	Total Suspended Solids	30D Conc	mg/L	35	35.25	3/1/2007
July 2007						
004	pH	1D Conc	SU	6.5	6.3	7/27/2007
December 2007						
001	Total Suspended Solids	30D Conc	mg/L	35	38.25	12/1/2007
January 2008						
001	Total Suspended Solids	30D Conc	mg/L	35	36.3	1/1/2008
February 2008						
001	Total Suspended Solids	30D Conc	mg/L	35	49.0	2/1/2008
March 2008						
001	Total Suspended Solids	30D Conc	mg/L	35	40.5	3/1/2008

NOTES: 1D Conc = Daily Average Concentration Value
1D Qty = Daily Average Loading Value
7D Conc = Weekly Average Concentration Value
30D Qty = Monthly Average Loading Value
30D Conc = Monthly Average Concentration Value
7D Qty = Weekly Average Loading Value

Please be advised that failure to comply with the effluent limitations or to satisfy the monitoring or reporting requirements of your NPDES permit may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111.

Failure to report violations of the effluent limitations is also a violation of your NPDES permit. Please review Part 3 of the NPDES permit for reporting requirements.

Please inform this office, in writing, within ten days of receipt of this notification as to the reasons for the above referenced violations, as well as a description of the actions taken or proposed to prevent any further violations. Your response should include dates, either actual or proposed, for completion of the actions.

If you have any questions, please contact me at (740) 380-5284.

Sincerely,



Ms. Abbot Stevenson
Environmental Engineer
Permits and Enforcement Section
Division of Surface Water

AS/dh

c: Dave Clark, ODNR Division of Mineral Resource Management