



State of Ohio Environmental Protection Agency

Southeast District Office

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

May 15, 2009

Re: Belmont County
Marietta Coal Co.
Bellaire Refuse Disposal Area
NPDES Permit #OIL00101*BD
Compliance Evaluation Inspection
Correspondence (IWW)

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

Dear Mr. Nicolozakes:

On May 6, 2009, I conducted a Compliance Evaluation Inspection (CEI) of the Marietta Coal Company Bellaire Refuse Disposal Site. Rick Patterson represented the facility on the inspection.

The purpose of the inspection was to gather information for the NPDES permit renewal and to evaluate the facility's status of compliance with the NPDES permit, federal number OH0076864, state number OIL00101*CD. Wastewater samples were not taken by Ohio EPA on the day of the inspection. A copy of the inspection report form is attached. Based on the inspection, and a review of the Discharge Monitoring Report (DMR) data and the permit, the facility appeared to be in compliance on the day of the inspection.

As a result of the inspection and file review, I have the following comments:

1. A review of the Discharge Monitoring Reports (previously labeled Monthly Operating Reports) for the review period of July 2008 through March 2009 shows one violation for pH in March 2009.
2. It is important that the person taking the samples follow proper sampling protocol. Samples should be taken in proper sample containers, labeled properly, and preserved with acid if not analyzed for metals immediately. The sample should be preserved on ice until it is run if total suspended solids is being analyzed. Since pH is a field parameter, it should be determined on site. If there are any questions about these requirements check with your commercial lab, Ohio EPA personnel, or refer to the Standard Methods for the Examination of Water and Wastewater.

3. This site is no longer being actively used for refuse disposal since the wash plant has been closed for at least 2 years. In order to reduce the amount of acid water generation, Marietta must begin reclaiming the face of the disposal area. Provide a date when reclamation will begin.
4. The NPDES permit for this facility is in the process of being renewed and will be issued as a draft document in the near future. The facility will have 30 days to provide comments. Several changes are included in the draft such as the addition of metals monitoring and stormwater requirements in Parts 4 and 6 of the draft.

As a part of this inspection, I also inspected the site of the Marietta Coal Co. Preparation Plant on Guernsey St, in Bellaire. This facility sits on the bank of the Ohio River. As stated before, the prep plant has been closed for several years. The company is beginning to clean up the site. The southern end of the property is still being used as a load-out facility. Coal is actively stockpiled on that area. There is a treatment pond on the site, but it has no spillway. Mr. Patterson indicated that the water is used for dust suppression and therefore the pond never discharges. The facility must ensure that a perimeter diversion system be maintained to keep contaminated runoff from entering the river. In addition, material that can contaminate runoff must be removed and appropriate cover placed on the portion of the site which is not being used for the active loading operation. Areas around the loading facility need to be kept clean by periodically removing spilled coal. Dust control by spraying water must not cause runoff that goes untreated. Finally, if you discharge wastewater to waters of the state, it is unauthorized, and you need to obtain an NPDES permit for the prep plant/loading facility area.

Please respond, in writing, within 30 days of receipt of this report, to Items 2 through 4 listed above. 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

Enclosure

c: Dave Clark, ODNR Division of Mineral Resource Management

NPDES
Compliance Inspection Report

A. NATIONAL DATA SYSTEM CODING

Permit No.	NPDES No.	Date	Inspection Type	Inspector	Facility Type
0IL00101*CD	OH0076864	May 6, 2009	C	S	2

B. FACILITY DATA

Name and Location of Facility Inspected	Entry Time	Permit Effective Date
Marietta Coal Co., Bellaire Refuse Disposal Area State Route 7, S. Guernsey Street St. Clairsville, Ohio 43950	10:00 a.m.	August 1, 2003
	Exit Time	Permit Expiration Date
	11:30 a.m.	July 31, 2008

Name(s) and Title(s) of On-Site Representative(s)	Phone Number(s)
Rick Patterson	(740) 310-9847
Name, Address and Title of Responsible Official	Phone Number
Mr John Nicolozakes, President Marietta Coal Co. 67705 Friends Church Road St. Clairsville, Ohio 43950	(740) 695-2197

C. AREAS EVALUATED DURING INSPECTION

<u> </u> S Permit	<u> </u> S Flow Measurement	<u> </u> NA Pretreatment
<u> </u> S Records/Reports	<u> </u> N Laboratory	<u> </u> S Compliance Schedules
<u> </u> M Operations & Maintenance	<u> </u> S Effluent/Receiving Waters	<u> </u> M Self-Monitoring Program
<u> </u> S Facility Site Review	<u> </u> NA Sludge Storage/Disposal	<u> </u> Other
<u> </u> NA Collection System		

(S = Satisfactory; M = Marginal; U = Unsatisfactory; N = Not Evaluated; NA = Not Applicable)

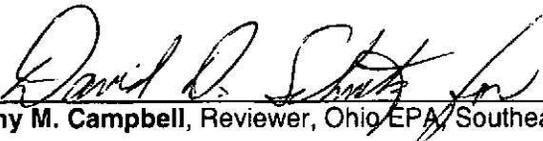
D. SUMMARY OF FINDINGS/COMMENTS (attach additional sheets if necessary)

1. Operations & Maintenance - See Item 3 in the attached letter.
2. Self-Monitoring Program - See Item 2 in the attached letter.



Abbot Stevenson, Inspector, Ohio EPA, Southeast District Office

5/15/09
Date



Timothy M. Campbell, Reviewer, Ohio EPA, Southeast District Office

5/15/09
Date