



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

July 7, 2009

Re: Belmont County
Ohio Valley Coal Co.
OIL00046*DD
Notice of Violation (NOV)
Correspondence (IWW)

Mr. Robert Murray
Ohio Valley Coal Company
56854 Pleasant Ridge Road
Alledonia, Ohio 43902

Dear Mr. Murray:

We have received your self-monitoring reports covering the months of October 2008 through May 2009 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
October 2008						
013	Manganese, Total	30D Conc	ug/L	2000	3307	10/1/2008
013	Manganese, Total	1D Conc	ug/L	4000	6900	10/22/2008
January 2009						
001	Total Suspended Solids	1D Conc	mg/L	70	85	1/28/2009
February 2009						
011	Manganese, Total	30D Conc	ug/L	2000	2800	2/1/2009
May 2009						
002	Nitrogen, Ammonia	30D Conc	mg/L	2	2.6	5/1/2009
002	CBOD 5 day	30D Qty	Kg/day	0.9	0.92	5/1/2009
002	Nitrogen, Ammonia	1D Conc	mg/L	3	4.7	5/6/2009
002	CBOD 5 day	1D Conc	mg/L	15	29.8	5/20/2009
002	CBOD 5 day	1D Qty	Kg/day	1.4	2.8	5/20/2009

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

We have not received the report addressing the May violations. Please address these violations. We have received your report addressing the reasons for the above violations in January and February and the actions being taken to prevent further occurrences. Your explanation is not satisfactory for the violations and we request, within ten days of receipt of this letter, written information as to what additional steps you will take to prevent further occurrences.

If there are 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 Bartsch, Ohio Valley Coal Co.