



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

NOTICE OF VIOLATION

May 23, 2013

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 April 2013 submitted on May 10, 2013. The data presented in the MOR indicates a violation of Buckingham Coal Company's Class V UIC permit: UIC 05-05-05-PTO-V Part II(E)(2)(c) and compliance with Ohio Administrative Code (OAC) Rule 3745-34-07 cannot be determined.

The cover letter states that Ream and Haager provided the sampling results for the month of April, but the monitoring report indicates that sampling and analyses were conducted by TCCI Laboratories Inc. Please ensure that future letters are corrected.

Page 3, Case Narrative, paragraph 4, reports that the lock on MW-4 was not functional and there was no lock on the injection well. This is a violation of Buckingham Coal Company's Sampling and Analysis Plan.

Page 5 lists the chemical constituents to be monitored monthly and/or quarterly with the corresponding analytical methods and PQLs (Practical Quantitation Limits). Analyses of the required constituents must be presented using appropriate analytical methods such that the method detection limits are below MCLs (Maximum Contaminant Levels) not PQLs. Please ensure that TCCI Laboratories revises this table to list appropriate analytical methods and MCLs rather than PQLs per Buckingham's Sampling and Analysis Plan.

PQLs for antimony, arsenic and lead were reported as 100 µg/L, 20 µg/L, and 20 µg/L respectively. These values exceed the MCLs for antimony (6 µg/L) and arsenic (10 µg/L) and the Action Level for lead (15 µg/L). Based upon these reported values, compliance with Ohio Administrative Code (OAC) Rule 3745-34-07 for the monitoring requirements of Buckingham Coal Company's Class V UIC permit UIC 05-05-05-PTO-V Part II(E)(2)(c) cannot be determined.

Ron Bird, Executive Vice President
Buckingham Coal Company
May 24, 2013
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If you have any questions concerning this letter, please contact me at (614) 644-2752.

Sincerely,

A handwritten signature in blue ink that reads "Valerie J. Orr". The signature is written in a cursive style with a large initial "V".

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

buckingham.mor.receipt.ltr Apr 2013.doc

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