



**Environmental
Protection Agency**

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

February 24, 2012

Re: Tuscarawas County
Tusky Coal, LLC
Notice of Violation
0IL00141, OH0128180
Correspondence (IWW)

Mr. John McNab, President
Tusky Coal, LLC
3 Kilsyth Court
St. Clairsville, Ohio 43950

Dear Mr. McNab:

We have received your self-monitoring reports covering the months of January through December 2011 for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance are as follows:

Numeric Violations:

Station	Reporting Code	Parameter	Violation Date	Limit Type*	Limit	Reported Value
005	01055	Manganese, Total (Mn)	4/4/2011	1D Conc	4000	4450.

* 1D Conc is equal to the daily maximum concentration limit.

Please submit within **10** days upon receipt of this letter as to the reasons for the above permit violations and actions being taken to prevent further occurrences. If a prior explanation of these violations has been sent no further action is required.

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements specified in your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these violations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

If there are any questions, please contact me at (740) 380-5418.

Sincerely,

Tim Fulks
District Representative
Division of Surface Water

TF/dh