



**Environmental
Protection Agency**

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

July 16, 2012

Re: Perry County
Buckingham Coal Co.
Slurry Impoundment Expansion
Storm Water Construction Activity
OGC01754*AG

Mr. Ronald K. Bird
Buckingham Coal Company
P.O. Box 400
Corning, Ohio 43730

Dear Mr. Bird:

On July 7, 2012, I visited the Buckingham Coal Co. Slurry Impoundment Expansion in Perry County Ohio that has a construction storm water permit with the Ohio EPA. The purpose of my inspection was to determine the compliance of this site with the National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water associated with construction activity. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111.

As a reminder, violators of ORC 6111 may be fined up to \$10,000 per day of violation. In addition, federal law allows for third party lawsuits for failure to comply with terms and conditions of NPDES permits.

No violations of the terms and conditions of the permit were discovered. Please continue to implement permit requirements as construction continues.

As a reminder, if your project disturbs more than five acres you are required to implement post construction water quality volume storage requirements with permanent storm water management structures as required by the permit.

If there are any questions, please contact Aaron Wolfe at (740) 380-5277 or me at (740) 380-5447.

Sincerely,

Sara Peters
Storm Water Section
Division of Surface Water

SP/dh