



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

January 9, 2013

Re: Athens County
 Buckingham Coal Co. Mine #2
 Notice of Violation
 Ohio EPA Permit 0IL00139*DD
 Correspondence (IWW)

Mr. Ron Byrd, Executive Vice President
 Buckingham Coal Company
 P.O. Box 400
 Corning, Ohio 43730

Dear Mr. Byrd:

We have received your self-monitoring reports covering the months of January through November 2012 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:

Reporting Period	Outfall	Parameter	Type*	Limit	Reported Value	Violation Date
January 2012	003	Manganese, Total (Mn)	30D Conc	2000	2440.	1/1/2012
May 2012	002	Total Suspended Solids	30D Conc	35	48.	5/1/2012
October 2012	002	pH	1D Conc	6.5	6.3	10/3/2012

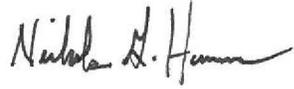
***NOTES:** 1D Conc = Daily Average Concentration Value
 1D Qty = Daily Average Loading Value
 7D Conc = Weekly Average Concentration Value
 30D Conc = Monthly Average Concentration Value
 7D Qty = Weekly Average Loading Value
 30D Qty = Monthly Average Loading Value

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.

We have reviewed your report addressing the reasons for the above violations and the actions being taken to prevent further occurrences. Hopefully, these actions will prevent any recurrence so that enforcement action will not be required. No additional information is requested at this time.

If there are any questions, please contact me at (740) 380-5416 or
nick.hammer@epa.ohio.gov.

Sincerely,

A handwritten signature in black ink that reads "Nicholas G. Hammer". The signature is written in a cursive style with a large, prominent "H".

Nicholas G. Hammer
Environmental Specialist
Permits and Enforcement Section
Division of Surface Water

NH/dh

c: Jeff McLean, Surface Foreman, Buckingham Coal Co.