



**ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR NATURAL RESOURCES**

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NOTICE

FROM: Billy Ratliff, Director *B.A.R.*  
Division of Mine Reclamation and Enforcement

TO: Coal Industry:  
Permittees, Consultants, and Environmental Monitoring Laboratories

SUBJECT: DISCHARGE MONITORING REPORT FORMATTING AND  
ENFORCEMENT

Previously, mandatory electronic submission of Discharge Monitoring Reports which began January, 2010 has been accompanied by an initial grace period in which resubmittals were requested for unacceptable FTP submissions. During this time, the Division has not taken enforcement action regarding errors such as incorrect file format, so long as acceptable resubmittals were received within the requested timeframe. **This grace period will expire at the end of the second quarter.**

Beginning with third quarter reports, due October, 2011, all incomplete and erroneous FTP submittals are the sole responsibility of the Permittee. Any company responsible formatting or submission errors which result in rejection of an FTP submission will be cited in a non-correctable Notice of Non-Compliance under 405 KAR 16:110 / 18:110 Water Monitoring. DMRE will also issue a non-correctable Notice of Non-Compliance for any of the following deficiencies in water monitoring reports:

- Failure to submit timely reports (correctable only if sampling has already occurred and data is available for submission within 30 calendar days)
- Failure to provide a valid signature with Silanis 'Approve It' software
- Failure to complete all required fields for general permit information
- Failure to complete all required fields for laboratory contact information
- Failure to list all permitted outfalls
- Incorrect outfall status given
- Failure to provide all required sample and parameter data

- Failure to provide explanation for any reported exceedances, outfalls with no discharge, or other anomalous events.

Due to issues of computer program compatibility, the Division of Mine Reclamation and Enforcement is only able to accept Discharge Monitoring Reports which have been saved in Microsoft Office Excel 2003 format using the extension (\*.xls). If you are using a version of Microsoft Office Excel 2007 or newer which uses the extension (\*.xlsx), you must convert all files to the 2003 format **before** submitting them to DMRE's FTP site. This can be done by simply selecting "Save as" and choosing an Excel (\*.xls) format from the drop-down menu. See the attached example for further clarification.

Please note that all cited violations regarding Discharge Monitoring Reports will be referred to the Department for Environmental Protection, Division of Enforcement for further consideration. Referrals may also be made for deficiencies not cited in a Notice of Non-Compliance, such as misplaced decimal points and inadequate exceedance explanations.

Thank you for your assistance in this matter.

Complete and e-sign the DMR, then do a "Save As:" and select Excel 97-2003 Workbook as shown below.

