

From: **Whittaker, Frank M** <frank.m.whittaker@wv.gov>
Date: Mon, Aug 18, 2025 at 12:33 PM
Subject: Re: DLR Lime Emergency Purchase Request
To: Chestnut, B J <b.j.chestnut@wv.gov>
Cc: Joseph E Hager III <joseph.e.hageriii@wv.gov>, Jessica Chambers Smith <jessica.chamberssmith@wv.gov>, Totten, Mark L <mark.l.totten@wv.gov>, Greg Clay <gregory.c.clay@wv.gov>

BJ,

Your emergency request to purchase lime for stream treatment is approved for a period of up to 3 months from the date of this approval. Please follow all emergency procedures outlined in the Purchasing Division Procedures Handbook and return to completed contract(s) to this office for public posting within 30 days of this approval.

Thanks you

On Mon, Aug 18, 2025 at 9:56 AM Chestnut, B J <b.j.chestnut@wv.gov> wrote:
See the attached emergency request for Division of Land Restoration (DLR).
CRQM's for lime were submitted last week for processing. Please let me know if you have any questions or concerns.

Thanks. BJ

B.J. Chestnut, Assistant Chief
Business Operations Office - Administrative Services
WV Department of Environmental Protection
601 57th Street, SE
Charleston, WV 25304
Phone: (304) 926-0499 ext. 41139
Fax: (304) 926-0491

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Frank Whittaker
Assistant Director
Purchasing Division
304-558-2316 | Frank.M.Whittaker@wv.gov
2019 Washington St. E., Charleston, WV 25305





WEST VIRGINIA PURCHASING DIVISION

APPROVED

BY: FW DATE: 8/18/25

Emergency Purchase Request Form for Central Purchases (Purchases Exceeding Agency's Delegated Spending Threshold)

Statutory Authority: Pursuant to West Virginia Code §5A-3-15 and 148 C.S.R. 1-7.6, the director may authorize, in writing, a state spending unit to purchase in the open market, without filing requisition or estimate, specific commodities for immediate delivery to meet bona fide emergencies arising from unforeseen causes.

Follow-up Award Requirements: Effective July 1, 2024, agencies have delegated authority, upon written approval, to process all emergency purchases as agency contracts. Agencies must submit all contract documents to Purchasing.Division@wv.gov no later than 30 days of issuance.

Description of the emergency circumstance(s) that led to this emergency purchase request:
(*What is the emergency situation? Provide detailed information.*)

The emergency situation is the ability to purchase lime that add alkalinity to streams impaired by acid mine drainage. Without the lime the streams will revert to acidic conditions and will not support aquatic life. This can potentially result in harm to humans and wildlife.

Proposed remedy:

(*What is the item or service that needs to be purchased to remedy the emergency situation in the short term?*)

Hydrated lime, granulated lime and bulk enhanced lime

Estimated cost:

(*How much will the items or service cost to rectify the situation? Include total cost.*)

For a 3 month period: Hydrated lime = \$60,000.00 Granulated lime = \$110,000.00

Bulk Enhanced Lime= \$200,000.00

Proposed duration/quantity:

(*If a service is needed, how long will you need it until you can properly bid out a long-term solution? If an item is needed, how many does your agency need?*)

DLR is requesting a 3 month period to allow new contract(s) to be executed.



west virginia department of environmental protection

Division of Abandoned Mine Lands and Restoration
601 57th Street SE
Charleston, WV 25304

Harold D. Ward, Cabinet Secretary
dep.wv.gov

MEMORANDUM

To: Frank Whittaker, Assistant Director
Acquisition & Contract Administration Section
WV Purchasing Division

BJ Chestnut, Assistant Chief
Business Operations Office – Administrative Services

From: Travis G. Parsons, Deputy Director **Travis G Parsons**

Date: August 13, 2025

Subject: Emergency Justification for Granulated Lime 3-Month Contract
Expired Contract # CMA DEP25*03

Digitally signed by: Travis G Parsons
DN: CN = Travis G Parsons email = travis.g.parsons@wv.
gov C = US O = WV Dept. of Environmental Protection OU =
Office of Abandoned Mine Lands
Date: 2025.08.15 07:20:22 -04'00'

Currently, the WV Governor's Office is reviewing contracts/solicitations prior to award that exceed \$100,000.00. One of those contracts (CMA DEP25*03) is for Granulated Lime to neutralize acid mine drainage that is treated by the WV DEP Office of Abandoned Mine Lands and Restoration. We have to put this contract out for rebid, as the Vendor chose not to renew. Due to the anticipated dollar amount of the contract, getting the solicitation published is still awaiting the WV Governor's Office approval.

The delay in awarding this contract will cause multiple sites to run out of lime. We have filled our doser bins to capacity in anticipation of the delay, but that will only last about three weeks at the maximum. Without lime to add alkalinity to streams impaired by acid mine drainage, the streams will revert to acidic conditions and will not support aquatic life. This can potentially result in harm to humans and wildlife. All support a healthy ecosystem now, but without lime addition the aquatic life will die.

AML is requesting approval of a 3 month emergency contract for Granulated Lime to allow the necessary time to have a new contract in place.

Based on the purchase history of this contract, the estimated cost of the emergency contract would be \$110,000.00.



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Charleston, WV 25304

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MEMORANDUM

To: Frank Whittaker, Assistant Director
Acquisition & Contract Administration Section
WV Purchasing Division

BJ Chestnut, Assistant Chief
Business Operations Office – Administrative Services

From: Travis G. Parsons, Deputy Director **Travis G Parsons**

Digitally signed by: Travis G Parsons
DN: CN = Travis G Parsons email = travis.g.parsons@wv.gov
O = US O = WV Dep't. of Environmental Protection
OU = Office of Abandoned Mine Lands
Date: 2025.08.15 07:19:38 -04'00'

Date: August 13, 2025

Subject: Emergency Justification for Hydrated Lime 3-Month Contract
Expiring Contract # CMA DEP25*02

Currently, the WV Governor's Office is reviewing contracts/solicitations prior to award that exceed \$100,000.00. One of those contracts (CMA DEP25*02) is for Hydrated Lime to neutralize acid mine drainage that is treated by the WV DEP Office of Abandoned Mine Lands and Restoration. We have to put this contract out for rebid, as the Vendor chose not to renew. Due to the anticipated dollar amount of the contract, getting the solicitation published is still awaiting the WV Governor's Office approval.

The delay in awarding this contract will cause multiple sites to run out of lime. We have filled our doser bins to capacity in anticipation of the delay, but that will only last about three weeks at the maximum. Without lime to add alkalinity to streams impaired by acid mine drainage, the streams will revert to acidic conditions and will not support aquatic life. This can potentially result in harm to humans and wildlife. All support a healthy ecosystem now, but without lime addition the aquatic life will die.

AML is requesting approval of a 3 month emergency contract for Hydrated Lime to allow the necessary time to have a new contract in place.

Based on the purchase history of this contract, the estimated cost of the emergency contract would be \$60,000.00.



west virginia department of environmental protection

Division of Land Restoration
Office of Special Reclamation
1159 Nick Rahall Greenway
Fayetteville, WV 25840
Phone: 304-574-4465
Fax: 304-574-4478

Harold D. Ward, Cabinet Secretary
dep.wv.gov

MEMORANDUM

To: Frank Whittaker, Assistant Director
Acquisition & Contract Administration Section
WV Purchasing Division

BJ Chestnut, Assistant Chief
Business Operations Office - Administrative Services

From: Matthew Butler, Deputy Director **Matthew L Butler** DN:CN=Matthew L Butler;mail=matthew.l.butler@wv.gov;C=US;O=WVDEP;OU=DLR;Date: 2025.08.13 14:13:11 -04'00'

Date: August 13, 2025

Subject: Emergency Justification for Bulk Enhanced Lime 3-Month Contract
Expiring Contract #CMA DEP23*01

Currently, the WV Governor's Office is reviewing contracts/solicitations prior to award that exceed \$100,000. One of those contracts is for Bulk Enhanced Lime to neutralize acid mine drainage (AMD) that is treated by the WVDEP Division of Land Restoration (DLR). We have put this contract out for rebid, as the Vendor chose not to renew. Due to the anticipated dollar amount of the contract, getting the solicitation published is still awaiting the WV Governor's Office approval.

The delay in awarding this contract will cause multiple sites to run out of lime. We have filled the sites to capacity in anticipation of the delay, but that will only last about three weeks maximum. Without lime added to the streams at these mine sites, it will result in discharging impaired water into the waters of the State. This can potentially result in harm to humans & wildlife.

DLR is requesting approval of a 3 month emergency contract for Bulk Enhanced Lime to allow the necessary time to have a new contract in place.

Based on the purchase history of this contract, the estimated cost of the emergency contract would be \$200,000.00.

Promoting a healthy environment.