

From: **Whittaker, Frank M** <[frank.m.whittaker@wv.gov](mailto:frank.m.whittaker@wv.gov)>  
Date: Thu, Jan 20, 2022 at 9:16 AM  
Subject: Re: Bloomingrose (Tincher) Burning Refuse Potential AML Emergency Project  
To: Murphy, Patrick M <[patrick.m.murphy@wv.gov](mailto:patrick.m.murphy@wv.gov)>  
Cc: B J Chestnut <[b.j.chestnut@wv.gov](mailto:b.j.chestnut@wv.gov)>, Hager III, Joseph E <[joseph.e.hageriii@wv.gov](mailto:joseph.e.hageriii@wv.gov)>, Linda Harper <[linda.b.harper@wv.gov](mailto:linda.b.harper@wv.gov)>

Patrick,

Your emergency request for the Bloomingrose (Tincher) burning refuse engineering services is approved. Please follow all emergency procedures outlined in the Purchasing Division Handbook and return all supporting documentation to this office within 30 days of this approval.

On Thu, Jan 20, 2022 at 7:50 AM Murphy, Patrick M <[patrick.m.murphy@wv.gov](mailto:patrick.m.murphy@wv.gov)> wrote:  
Frank/BJ:

Please find attached a purchasing memo for design and construction services for the above referenced project.

Thanks

**Frank Whittaker, CPPB, NIGP-CPP**  
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West Virginia Purchasing Division  
2019 Washington Street, East  
Charleston, WV 25305  
(304) 558-2316  
[frank.m.whittaker@wv.gov](mailto:frank.m.whittaker@wv.gov)

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Patrick M. Murphy, MSE, MBA, PE  
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Division of Land Restoration  
Abandoned Mine Lands  
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Fayetteville, WV 25840

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Cell: 304-951-8246



APPROVED  
Z. Whittaker  
1/20/21

west virginia department of environmental protection

Office of Abandoned Mine Lands  
1159 Nick Rahall Greenway  
Fayetteville, WV 25840  
Telephone (304) 574-4465

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

**MEMORANDUM**

**TO:** Frank Whittaker, Assistant Director  
Acquisition & Contract Administration Section  
Purchasing Division

BJ Chestnut, Interim Manager  
Administrative Services – Business and Technology Office

**FROM:** Patrick Murphy, Southern Emergency Engineer  
Abandoned Mine Lands and Reclamation *PM*

**DATE:** January 20, 2022

**SUBJECT:** Bloomingrose (Tincher) Burning Refuse  
Emergency Reclamation Project – Boone County

WV AML received a call from Ms. Shirley Tincher on December 27, 2021 stating that smoke from an apparent mine fire was prevalent in the community in which she lives. Ms. Tincher further stated that she has respiratory problems and the smoke and fumes are affecting her health. Ms. Tincher lives in the community of Bloomingrose in Boone County. Mason Fields responded to the complaint on December 28<sup>th</sup>, 2021 and met with Ms. Tincher who directed him to the source of the smoke and fumes. Mason inspected the site and found refuse material burning in a hollow directly across the river from Ms. Tincher's home. Research of available documents indicates that the refuse is likely associated with pre-law mining activities performed by Sharlow Gas Coal Company mines 1, 2 and 3 that active in the 1920's.

Due to the scope of the project, the required design, surveying and drilling services to abate the problems at the site will have to be performed by an outside engineering firm. In accordance with Section 5G-1-4 of the State Code of West Virginia, since a special circumstance exists and the cost of the project is estimated to be less than \$250,000.00, I have the option of selecting an architectural/engineering firm on the basis of satisfactory performance and knowledge of the agency's needs. Therefore, I propose to utilize The Thrasher Group of Beckley, WV to perform the required professional services at the site. The estimated cost for these services should not exceed \$50,000.00. The initial estimated cost of the site construction reclamation portion of the project to include mobilization/demobilization, site preparation, excavation and extinguishing of refuse material, regrading and revegetation is approximately \$150,000.00.

Please contact me at 304-574-4465 if you have any questions.