

From: **Whittaker, Frank M** <[frank.m.whittaker@wv.gov](mailto:frank.m.whittaker@wv.gov)>  
Date: Tue, Aug 16, 2022 at 12:51 PM  
Subject: Re: AML Emergency - Purchasing Approval  
To: Matkins, Christopher T <[christopher.t.matkins@wv.gov](mailto:christopher.t.matkins@wv.gov)>  
Cc: B J Chestnut <[b.j.chestnut@wv.gov](mailto:b.j.chestnut@wv.gov)>, Totten, Mark L <[mark.l.totten@wv.gov](mailto:mark.l.totten@wv.gov)>, Hager III, Joseph E <[joseph.e.hageriii@wv.gov](mailto:joseph.e.hageriii@wv.gov)>

Chris,

Your emergency request to engage a firm to manage the burning Refuse at the McConnel (Whisman) site is approved. Please follow all emergency procedures outlined in the Purchasing Division Handbook and return all documentation to this office within 30 days of this approval for contract completion.

**Frank Whittaker, CPPB, NIGP-CPP**

Assistant Director  
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)

On Tue, Aug 16, 2022 at 9:39 AM Matkins, Christopher T <[christopher.t.matkins@wv.gov](mailto:christopher.t.matkins@wv.gov)> wrote:  
Frank / BJ

See attached Purchasing Memo for the Southern AML Emergency - McConnell (Whisman) Burning Refuse project.

This project was approved by WVDEP Procurement on 8/8. However, while excavating the fire, it was found that the fire was closer to one of the homes than anticipated. Due to the elevated risk associated with the proximity of the fire to the home, we are requesting to bring professional services on-board to advise and potentially manage the project.

Thank You

Chris Matkins  
Regional Engineer

WV Dept. of Environmental Protection  
Division of Land Restoration  
Office of Abandoned Mine Lands and Reclamation

1159 Nick Rahall Greenway  
Fayetteville, WV 25840

Office: 304 574 4465  
Mobile: 304 380 7502



west virginia department of environmental protection



APPROVED  
Frank Whittaker  
8/16/22

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, Assistant Chief  
Business Operations Office - Administrative Services

**FROM:** Chris Matkins, Southern Regional Engineer  
Abandoned Mine Lands and Reclamation **Chris Matkins**

**DATE:** August 16, 2022

**SUBJECT:** McConnell (Whisman) Burning Refuse  
Emergency Reclamation Project – Logan County

Digitally signed by: Chris Matkins  
DN: CN = Chris Matkins email =  
christopher.Lmatkins@wv.gov C = AD O =  
WV DEP OU = Abandoned Mine Lands  
Date: 2022.08.16 09:33:57 -05'00'

Mr. Whisman contacted our office on 7/27/22 concerning a burning coal refuse pile located on the riverbank behind his home. Chris Hayner conducted a site investigation on 7/28/2022. Unsafe carbon monoxide levels were detected in the home. AML recommended that he should not be in the house at this time.

AML continued out the backdoor to the site of the burning refuse where the gas detector continued to alarm for CO. The refuse was observed along the outer edge of the backyard and venting of steam and smoke was observed coming from under a detached deck. The surface was hot to the touch.

Based on knowledge of the McConnell and Sugar Branch area, it was common practice for coal companies to use coal refuse and slate for site development of coal camps. In my opinion, that is how this material ended up on the said lot. The refuse in this area appears to have been placed by various coal operators prior to 1977.

Based on the above referenced problems, an emergency project will be initiated to extinguish the refuse fire. The work should consist of mobilization/demobilization, excavation and quenching of refuse, capping the area with clean topsoil, regrading and revegetation. The cost of the project should not exceed \$170,000.00.

This project was initiated without professional services and approved by WVDEP Procurement on 8/8/22. While excavating the fire, it was determined that the fire is closer to, and possibly underneath, one of the resident's homes than expected. Due to the elevated risk associated with the proximity of the fire to the home, it is necessary to bring professional services to advise and potentially manage the project.

Civil Tech Engineering, Inc. will be hired as a professional consultant. Professional Services expenses are not expected to exceed \$25,000.

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

Cc: file