

From: Nisbet, Guy L
Sent: Friday, July 17, 2020 8:39 AM
To: Chestnut, B.J <B.J.Chestnut@wv.gov>
Subject: RE: ERP Environmental Emergency Chemicals

B.J. your Emergency request is approved (see attachment) and add to your file. Please follow emergency purchasing guidelines as found in the Handbook and follow up with documentation as it is available.

Sincerely,

Guy L. Nisbet, MS. CPPB



Purchasing Division – Supervisor
Acquisitions and Contract Administration Section
West Virginia Department of Administration
State Capitol Complex, Bld.15
2019 Washington Street, East
P.O. Box 50130
Charleston, WV 25305
304.558.2596 (phone) 57506 (Cisco)
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Web site: <http://www.state.wv.us/admin/purchase/default.html>

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From: Chestnut, B.J <B.J.Chestnut@wv.gov>
Sent: Thursday, July 16, 2020 2:39 PM
To: Whittaker, Frank M <Frank.M.Whittaker@wv.gov>; Nisbet, Guy L <Guy.L.Nisbet@wv.gov>

Cc: Thornton, Tammy S <Tammy.S.Thornton@wv.gov>

Subject: ERP Environmental Emergency Chemicals

In conjunction with the previous request, I have received another request for the emergency approval for the purchase of specific chemicals needed to treat the acid mine drainage in the water.

Please let me know if anything additional is needed for this request.

Thanks. BJ

B.J. Chestnut

WV Department of Environmental Protection
Business Operations Office - Administrative Services

Procurement Manager

601 57th Street, SE

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(304) 926-0499 ext. 41139

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APPROVED
Jul Whittaker
7/16/20

west virginia department of environmental protection

Office of Special Reclamation
47 School Street, Suite 301
Philippi, WV 26416
Phone: 304-457-3219
Fax: 304-457-5613

Austin Caperton, Cabinet Secretary
dep.wv.gov

To: Frank Whittaker, Assistant Director
WV Purchasing Division

From: Gregory W. Phillips Jr., ERPM 1
DEP – Office of Special Reclamation

Gregory W. Phillips Jr.

Digital signed by: Gregory W. Phillips Jr.
DN: cn = Gregory W. Phillips Jr., email = gregory.w.phillips@dep.wv.gov
c = US, o = Office of Special Reclamation, ou = Division of Land
Reclamation
Date: 2020.07.16 11:54:13 -0400

Date: July 16, 2020

RE: EMERGENCY JUSTIFICATION
PERMITS EM-125, R-747, R-746 and O-1001-87
ERP Environmental Fund, Inc.

ERP Environmental Fund, Inc. has abandoned its obligations on the permits above. Among those obligations is the treatment of Acid Mine Drainage (AMD) attributed to the mining activity of the permitted areas. The permits are adjacent to the Tygart River and two miles upstream from the municipal water intake for the City of Fairmont, WV. If the impaired water is not treated, AMD will enter the Tygart River within 24 to 48 hours at a rate between 6,000 and 12,000 gallons per minute. Considering the significant environmental and public safety impact, on July 13, 2020 the WVDEP Division of Mining & Reclamation's Inspection and Enforcement section issued an emergency revocation of the permits above.

ERP has effectively treated the impaired water with the infrastructure currently on site. ERP's treatment system consists of pumps, aerators and chemical injection systems. Chemicals currently being used are Hydrogen Peroxide, Caustic Soda and an Anionic Polyacrylamide Polymer Flocculant.

To ensure the impaired water does not harm any human or wildlife, OSR will need to purchase hydrogen peroxide, caustic soda and anionic polymer during this emergency period. OSR is requesting commodities to be provided for 60 days under an emergency provision until formal open-ended contracts can be established. Note: OSR currently has contracts for caustic soda and polymer but the specifications do not meet the requirements for the unique water treatment needs of the site. We will need to purchase 50% caustic not the 35% caustic we currently have under contract. We will also need to purchase anionic polymer. OSR's current contract is for a cationic polymer. The estimated total costs of the emergency will be \$ 90,000

Promoting a healthy environment.