

**From:** Nisbet, Guy L  
**Sent:** Friday, July 17, 2020 8:41 AM  
**To:** Chestnut, B.J <[B.J.Chestnut@wv.gov](mailto:B.J.Chestnut@wv.gov)>  
**Subject:** RE: ERP Emergency Pump Repair

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  
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304.558.3970 (fax)  
email: [Guy.L.Nisbet@wv.gov](mailto:Guy.L.Nisbet@wv.gov)

Web site: <http://www.state.wv.us/admin/purchase/default.html>

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**From:** Chestnut, B.J <[B.J.Chestnut@wv.gov](mailto:B.J.Chestnut@wv.gov)>

**Sent:** Thursday, July 16, 2020 2:32 PM

**To:** Nisbet, Guy L <[Guy.L.Nisbet@wv.gov](mailto:Guy.L.Nisbet@wv.gov)>; Whittaker, Frank M <[Frank.M.Whittaker@wv.gov](mailto:Frank.M.Whittaker@wv.gov)>

**Cc:** Thornton, Tammy S <[Tammy.S.Thornton@wv.gov](mailto:Tammy.S.Thornton@wv.gov)>

**Subject:** ERP Emergency Pump Repair

Attached is a request for emergency for the emergency pump repair for a site that was just forfeited and is now under DEP's Office of Special Reclamation's program responsibility. The pump is critical to the treatment of acid mine drainage and preventing its entry into the Tygart River.

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

Thanks. BJ

*B.J. Chestnut*

WV Department of Environmental Protection  
Business Operations Office - Administrative Services

Procurement Manager

601 57<sup>th</sup> Street, SE

Charleston, WV 25304

(304) 926-0499 ext. 41139

Fax: (304) 926-0463



APPROVED  
Jul 16/20

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west virginia department of environmental protection

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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

**Date:** July 15, 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.

One of two vertical turbine pumps that moves the impaired water was removed and delivered to Modern Pump and Equipment Inc. for repairs prior to the DEP receiving the revoked permits. Payment for repairs and reinstallation is absolutely necessary. The water treatment operation cannot function effectively using one pump. Critical mine pool water elevations will be exceeded which will result in severe water quality impacts to a local stream and river. The local stream enters the river approximately two miles upstream of a water intake for the City of Fairmont and surrounding communities.

To ensure the impaired water does not harm any human or wildlife, OSR will need to pay for the repairs of the pump. The estimated total costs of the emergency will be \$ 200,000