

From: **Whittaker, Frank M** <frank.m.whittaker@wv.gov>
Date: Mon, Oct 18, 2021 at 2:14 PM
Subject: Re: Summersville (Brown) DI AML Emergency Project
To: Murphy, Patrick M <patrick.m.murphy@wv.gov>
Cc: B J Chestnut <b.j.chestnut@wv.gov>, Leigh A Shaffer <leigh.a.shaffer@wv.gov>, Hager III, Joseph E <joseph.e.hageriii@wv.gov>, Chambers, Jessica S <jessica.s.chambers@wv.gov>, Totten, Mark L <mark.l.totten@wv.gov>

Patrick,

Your emergency design request for the Dangerous Impoundment Reclamation at the Summersville (Brown) location is approved. Please follow all Emergency procedures and submit all supporting documentation to this office within 30 days of this approval for contract completion.

Thank you,

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

On Mon, Oct 18, 2021 at 10:38 AM Murphy, Patrick M <patrick.m.murphy@wv.gov> wrote:
All:

Please find attached the Purchasing Memo for the above reference AML Emergency project for review and signature.

Thanks

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Patrick M. Murphy, MSE, MBA, PE
Southern Emergency Engineer
Division of Land Restoration
Abandoned Mine Lands
1159 Nick Rahall Greenway
Fayetteville, WV 25840

Office: 304-574-4465
Cell: 304-951-8246



APPROVED
[Signature]
12/18/21

west virginia department of environmental protection

Office of Abandoned Mine Lands and Reclamation
1159 Nick Rahall Greenway
Fayetteville, West Virginia 25840
304-574-4465

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

MEMORANDUM

TO: Frank Whittaker, Assistant Director
Acquisition & Contract

BJ Chestnut, Interim Assistant Chief
Administrative Services – Business and Technology Office

FROM: Patrick Murphy, Southern Emergency Engineer
Abandoned Mine Lands and Reclamation *[Signature]*

SUBJECT: Summersville (Brown) Dangerous Impoundment
Emergency Reclamation Project – Nicholas County, WV

DATE: October 18, 2021

The WVDEP AML Emergency Section received a complaint on August 29, 2021, from Ms. Reanna Brown regarding drainage issues in her yard from a pre-law mining sediment pond. The pre-law pond has filled with sediment over the years, and now when moderate to heavy rains exist the pond overflows creating a heavy stream through Ms. Browns yard and across Route 39, thus creating a hazard for the residents and for motorists travelling along Route 39.

Christopher Hayner, Travis Parsons and Patrick Murphy visited the site on August 30th, 2021, along with Ms. Brown and her husband. Evidence of flooding existed at that time and visual sinkholes were developing in the yard, potentially due to collapsing existing drainpipes. Patrick Murphy conducted a site visit on September 1, 2021, during a moderate rain event, and witnessed significant flooding starting to take place.

Due diligence performed involved a review of USGS mapping, discussions with Bright Enterprise land agent and land planner, and published articles regarding the surface mine and subsequent housing development built on the reclaimed site. The due diligence indicates that the mining was conducted and reclaimed prior to August 1977. This project was investigated in 2015 (2015-SOU-067-121) and placed on AML inventory at that time.

Due to the recent change in site conditions, and the risk that the flood waters pose for the residents of the home and motorists travelling Route 39, it is recommended that an emergency reclamation project be initiated.

Due to the scope of the project, the required design and surveying services to abate the problems at the site will be performed by an outside engineering firm. In accordance with Section 5G1-2 of the State Code of West Virginia, since a special circumstance exists and the cost of the overall project is expected to be greater than \$250,000.00 I am using the option of selecting an architectural/engineering firm on the basis of satisfactory performance and knowledge of the agency's needs. Therefore, AML proposes to utilize Potesta and Associates, Incorporated to perform the required professional services at the site. The estimated professional services should not exceed \$58,675.00. The initial estimated cost of the site constructions reclamation portion of the project is approximately \$250,000.00.