



West Virginia Department of Environmental Protection

Bob Wise
Governor

Stephanie R. Timmermeyer
Cabinet Secretary

INTEROFFICE MEMORANDUM

To: All DMR Employees
From: Joe Parker, Acting Director
Date: 5/6/2010
Re: EXCESS SPOIL AND VALLEY FILL CERTIFICATION REQUIREMENTS

AUTHORITY: § 22-3-13(b)(22), 38-2-14.14

This document replaces the ‘EXCESS SPOIL DISPOSAL FACILITY INSPECTION AND REPORTING REQUIREMENTS’ memorandum issued on February 25, 2003.

INSPECTION FREQUENCY

A registered professional engineer experienced in the construction of earth or rock fills or other qualified professional specialist working under the direction of a professional engineer experienced in the construction of earth or rock fills, shall inspect an excess disposal facility according to the following schedule:

1. Quarterly for stability;
2. Regularly during the placement and compaction of fill materials and during critical construction periods such as, but not limited to:
 - a. Foundation preparation;
 - b. Underdrain placement;
 - c. Installation of surface drainage systems;
 - d. Construction of rock toe buttresses.
3. Upon completion of construction.



REPORTING FREQUENCY

A certified report of this inspection shall be submitted to the Secretary a certified report within two weeks following completion of the inspections. The certified report shall contain a statement that the fill is being constructed and maintained as designed in accordance with the approved plan and this rule. The report shall contain the company name, permit number, company address, fill identification, date of inspection, and name of the person performing the inspection. The report will also note any instances of apparent instability, structural weaknesses, and other hazards. The report on the drainage system and protective filters shall include color photographs taken during and after construction, but before the underdrains are covered with excess spoil. Color photographs shall be of sufficient size and number to provide a relative scale and to clearly identify the site. A copy of the certified report shall be maintained at the mine site.

REPORTING REQUIREMENTS

The report shall include as applicable the following:

1. Type of inspection.
 - a. Quarterly for stability;
 - b. Regular/critical stage;
 - i. Foundation preparation;
 - ii. Critical foundation area;
 - iii. Underdrain\lateral drains;
 - iv. Material Compaction;
 - v. Surface drains;
 - vi. Rock toe buttress;
 - vii. Other
 - a. Final;
 - b. Comments
2. Foundation preparation.
 - a. Acknowledgment of proper construction;
 - b. Comments
3. Placement of underdrain system.
 - a. Acknowledgement of proper construction;
 - b. Acknowledgement of construction simultaneously with excess spoil placement by the natural segregation of dumped materials;
 - c. Comments – include color photographs

4. Installation of surface drainage system.
 - a. Acknowledgement of proper construction of sediment control structures;
 - b. Acknowledgement of proper construction of temporary drainage control;
 - c. Acknowledgement of proper construction of permanent diversion ditches and terraces

5. Placement of materials.
 - a. Acknowledgement of proper construction of fill;
 - b. Acknowledgement of proper handling of toxic or acid forming materials;
 - c. Acknowledgement of contents not exceeding 20% non-durable material;
 - d. Acknowledgement of prohibited materials not being placed, deposited, or disposed of into the fill area
 - e. Comments

6. Stability.
 - a. Acknowledgement of no apparent instances of instability, structural weakness, and/or other hazards being observed;
 - b. Note any instances of apparent instability, structural weaknesses, or other hazards observed;
 - c. List any corrective actions taken or recommended

7. Additional information
 - a. Estimated current volume of fill;
 - b. Status of fill;
 - i. Active
 - ii. Being reclaimed
 - iii. Inactive
 - c. If inactive, date of last activity
 - d. Test results;
 - e. Sketches;
 - f. Drawings;
 - g. Photographs;
 - h. As-built plans, drawings, and stability analyses as appropriate for final certifications

The information listed above must be specifically addressed and submitted in summarized form.