



Division of Mining and Reclamation
10 McJunkin Road
Nitro, WV 25143-2506
Telephone: (304) 759-0510
Fax: (304) 759-0526

West Virginia Department of Environmental Protection

Bob Wise
Governor

Stephanie R. Timmermeyer
Acting Cabinet Secretary

INTEROFFICE MEMORANDUM

TO: All DMR Employees

FROM: Matthew Crum, Director *m3c*

DATE: February 25, 2003

SUBJECT: Inactive Status Request for Operations with Valley Fills

Authority: 38-2-14.11

When operations containing valley fill(s) request inactive status, the fill(s) may be in a condition that could allow for erosion into natural drainage paths. In addition, fill construction may not be to the point where long-term stability can be achieved. Therefore, to minimize surface water runoffs to minimize surface erosion and to prevent spoil movement, each of the following conditions shall apply to fill(s) that have not reached designed capacity and it has been demonstrated that reactivation of the fill(s) is feasible:

1. The top of the fill shall be configured to prevent water from discharging over the face of the fill;
2. Runoff and sediment from the top of the fill must be managed and discharged in a controlled manner;
3. The top and all erosion prone areas of the fill shall be seeded;
4. Surface water runoff from areas above and adjacent to the fill surface shall be diverted into stabilized channels;
5. Submission of certification that the fill is stable in its present condition. The certification must address the steepness of slopes, duration of inactive status request and must include observations and tests necessary to evaluate stability. The certification of the fill shall include a drawing of the fill showing the following:
 - a. Current outline of the fill
 - b. Location of sediment control and drainage structure(s)
 - c. Limits of clearing and grubbing
 - d. Location of any surface or ground water discharges
 - e. Current extent and location of underdrains
 - f. Design and current volume
 - g. Percent slope at the current toe location
 - h. Color photographs
6. Drainage control structures shall be cleaned to 100% designed capacity.

If the operation has any fill(s) that has reached designed capacity or it cannot be demonstrated that reactivation is feasible, the request will not be considered for approval until the fill(s) is reclaimed.



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"Promoting a healthy environment."
