MEMORANDUM

Re: WVU LARGE IMPOUNDMENT / PIT STUDY
[Volume capacity designs greater than 5000 barrels]

Acknowledgement: Recognition and Response by Office of Oil and Gas Personnel

Date: December 3rd, 2012

Reported by: David J. Belcher, Assistant Chief – Enforcement

Attached are inspection documents for the fifteen site candidates of large impoundments and pits presented in the WVU study. These documents are the results of follow-up reviews by the Office of Oil and Gas (OOG) field inspector staff.

This memorandum recognizes the WVU 2012 large impoundment/pit study and hereby reports the actions and measures taken by the OOG as a response. WVU presented their investigations of selected impoundments and pits during the 2012 period. This involved various county locations and seven different owner/operators (company). WVU’s observations were based on as-built conditions and included a few observations of the construction phases and maintenance performances by the companies represented; also interviews with the OOG Inspectors were added. WVU’s concerns address training, maintenance, and construction; concerns reported as correctable areas of need. The fifteen structures covered by the WVU team are of three categories which represent the OOG large impoundment/pit inventory; centralized waste facilities, fresh water impoundments, and well-permitted waste pits. All fifteen are under the authority and registry with the OOG.

Due to this study, the OOG implemented in-house training with all field and office staff members. OOG field staff thereafter conducted inspections of all fifteen structures. They also directed corrective actions necessary on their findings. All company representatives accompanied those efforts for each site but one. Inspectors plan follow-up inspections for the corrective actions necessary.

Findings the inspectors report are somewhat similar in respect to the WVU findings; and they found no areas of imminent danger. Inspectors attempted to locate each survey deficiency reported by the WVU team. Inspectors applied the data from the survey and also utilized an in-house inspection checklist; this checklist was designed by the OOG Professional Engineer on
staff that has experience inspecting impoundment structures. They briefed those criteria with the operating representatives. Upon conclusion of their findings, parties agreed on the repair work necessary. Inspectors submitted those reports to the office which noted their findings and actions necessary for the repair work. The following briefly describes those efforts:

- Donna Completion Pit – Oil and Gas Inspector Hendershot inspected on November 16th and found the pit closed and reclaimed by the Energy Corporation of America. Vegetation is started. Pit is associated with the well permit activity API 47-049-02183.

- Donna Completion Impoundment – Oil and Gas Inspector Hendershot inspected on November 16th and found the pit closed and reclaimed by the Energy Corporation of America. Vegetation started. Pit is associated with the well permit activity API 47-049-02183.

- Pribble Freshwater Impoundment – Oil and Gas Inspector Haught inspected on November 30th in sunny conditions and found the following:
  1. Impoundment perimeter contained no safety devices – Stone Energy Company representative agreed to installation of safety equipment.
  2. Liner revealed a small tear near the anchor trench – Stone Energy Company representative agreed to patch the tear.
  3. Minor slope movement along the access road – Stone Energy Company representative agreed to make the necessary repairs to prevent further movement.
  4. Erosion on fill slope – Stone Energy Company representative agreed to dress slope and apply seed and mulch materials.
  5. Standing water on the crest – Stone Energy Company representative agreed to work crest to ensure proper drainage.

  This is a centralized fresh water impoundment registered with OOG as #WMP-00277.

- Burch Ridge Wastewater Pit – Oil and Gas Inspector Haught inspected on November 28th in sunny conditions and found the following:
  1. Signage missing – Gastar Exploration USA, Inc. representative agreed to installation of safety equipment.
  2. Cracks found on crest where standing waters were during wet periods – Gastar Exploration USA, Inc. representative agreed to dress the crest and apply seed and mulch materials.

  This is a waste pit associated with the well permit activity API 47-051-01505.

- MIP Freshwater Impoundment – Oil and Gas Inspector Ward inspected on November 27th in light snow and rain conditions and found standing waters on the crest isolated in minor areas and found some minor erosions. Corrections of the erosion areas were already being addressed by the Northeast Natural Energy. Inspector also reports the weather conditions did not hinder his inspection. Impoundment is associated with the well permit activity of API 47-061-01622 and 47-061-01624.
• Ball 1H Impoundment #2 – Oil and Gas Inspector Gainer and Supervisor Campbell inspected on November 28\textsuperscript{th} in sunny conditions. Findings report only single crack on crest but minor and shallow believed a non-structural concern. Inspector and Supervisor report no corrective actions needed at this time. This is a large volume storage impoundment associated with the well permit activity API 47-095-02032.

• Mills-Wetzel Freshwater Impoundment – Oil and Gas Inspector Haught inspected on November 30\textsuperscript{th} in sunny conditions and found the following:
  1. Trash observed around impoundment perimeter – Stone Energy Company representative agreed to address recovery and removal of trash.
  2. Fencing was down in areas – Stone Energy Company representative agreed to fence repairs.
  3. Standing waters on the crest – Stone Energy Company representative agreed to work crest to ensure proper drainage.
This is a fresh water impoundment associated with the well permit activity of API 47-103-02704.

• SHL 2 Centralized Pit – Oil and Gas Inspector Haught inspected on November 29\textsuperscript{th} in sunny conditions and a minor amount of trash observed around the pit. Noble Energy representative agreed to address the trash recovery and removals. Inspector also observed bird netting installed. This is a centralized waste pit registered with OOG as #051-WV-0001.

• SHL 3 Centralized Pit – Oil and Gas Inspector Haught inspected on November 29\textsuperscript{th} in sunny conditions and a minor amount of trash observed around the pit. Noble Energy representative agreed to address the trash recovery and removals. Inspector also observed bird netting installed. This is a centralized waste pit registered with OOG as #051-WV-0002.

• SHL 4 Centralized Pit – Oil and Gas Inspector Haught inspected on November 29\textsuperscript{th} in sunny conditions and found the following:
  1. Areas for improvements needed with vegetation – Noble Energy representative agreed to address vegetation corrections.
  2. Slips located below two sediment traps – Nobel Energy representative agreed to the repairs and plans removal of traps instead install vegetative strips as a replacement.
  3. Inspector found bird netting installed.
This is a centralized waste pit registered with OOG as #051-WV-0003.

• Shields FW1 – Oil and Gas Inspector Haught inspected on November 28\textsuperscript{th} in sunny conditions and found the following:
  1. Signage and safety equipment missing – Gastar Exploration USA, Inc. representative agreed to installation of signage and safety equipment.
  2. Minor erosion areas on fill slope – Gastar Exploration USA, Inc. representative agreed to dress areas on slope and install straw matting.
3. Standing water on the crest – Gastar Exploration USA, Inc. representative agreed to work crest to ensure proper drainage. 
This is a waste pit associated with the well permit activity API 47-051-01533.

- Flanigan Pit – Oil and Gas Inspector Jenkins and Supervisor Harris inspected on November 27th in light snow and rain conditions and found small puddles rain waters on liner and ditch line. Inspector and Supervisor report no corrective actions necessary by the Antero Resources. Pit is associated with the well permit activity API 47-033-05570.

- Larry Pit – Oil and Gas Inspector Jenkins and Supervisor Harris inspected on November 27th in light snow and rain conditions and found some standing rain on the crest. Also Inspector and Supervisor found small erosion trench on fill slope; instructed company to monitor. Inspector and Supervisor report no corrective actions needed at this time; this is a temporary impoundment to be closed in a few months by the Antero Resources. Pit is associated with the well permit activity API 47-033-05538.

- MWV Large Water Storage Pond 1 – Oil and Gas Inspector Gainer and Supervisor Campbell inspected on November 27th in fog conditions and findings were positive with no issues. Inspector and Supervisor report no corrective actions needed at this time. This is a large volume storage impoundment associated with the well permit activity API 47-067-0940, API 47-067-0941, API 47-067-0942, and API 47-067-0943.

- Plum Creek South Fork – Oil and Gas Inspector Gainer and Supervisor Campbell inspected on November 27th in rain and fog conditions. Findings were positive with no issues detected. Inspector and Supervisor report no corrective actions needed at this time. This is a large volume storage impoundment associated with the well permit activity API 47-025-00035, and API 47-025-00039.

Large impoundments and pits addressed in this WVU study are recognized under the regulatory authority of the OOG. In this state such structures did not enter into activities as a common practice for completions until the year 2007. Applications began then with the Marcellus completions containing high volumes of fracturing fluids and fracturing stages; those interests by industry remain so today. Various regulatory requirements are in place for large structures; this includes necessities for engineering controls, vigilant monitoring, OOG reviews, and regulatory assurances with routine and quality inspections. Presently one hundred sixty large impoundments and pits are on file and registered; few are closed and reclaimed yet new applications are submitted routinely.

In conclusion, the OOG recognizes a continuous need for in-house training programs provided for its field staff. Workshops for industry must continue. Also recognized are the needs for routine field visits and quality reviews by the OOG; this is predicted to improve by the on-going progress in the hiring additional Inspectors and the sustained training initiatives.
INSPECTORS REPORT

Operator: Wako ECA
API Number: 4902183

Findings:

Upon inspection of reclaimed freshwater impoundment & frac fluid pit I found both have been reclaimed & have vegetation growing on them as of 11/16/12. Some vegetation is spotty on impoundment. The vegetation on the flowback pit is in good shape.

Pictures 1-4 impoundment 4-10-12 The flowback pit

[Signature]
Oil & Gas Inspector

11-16-12
Date
1. There are no safety devices around impoundment.
   Stone has agreed to install safety equipment.

2. Liner has small tear near anchor trench.
   Stone has agreed to patch.

3. Liner slope movement along access road.
   Stone has agreed to make necessary repairs to prevent further movement.

4. There is erosion on fill slope.
   Stone has agreed to dress slope and re-seed/mulch.

5. There is standing water on the crest.
   Stone has agreed to work crest to ensure proper drainage.
Impoundment/Pit Inspection Checklist

April 05-01505

Company: Gastar Exploration USA Inc.

Well Pad: Parish Ridge

Date: 11-28-12

Weather Conditions: Sunny, 39°

Inspector: Derek M. Haught

Impoundment/Pit: Parish Ridge Wastewater Pit

Associated: Centralized

Company Personnel on Site: Jerry Dugle

Current Freeboard (ft.):

Gated: Yes, No

Fencing: Intact: Yes, No

Standing Water on Crest: No

Any Cracks/Slumps/Depressions on Crest: No

Any Slips, Bulges or Slope Movements on Fill Slopes: No

Any Seepage Evident on Fill Slopes: No

Does Liner Appear Intact: Yes, No

Is Vegetation Adequate: Yes, No

Signs & Safety: Yes, No

Slope Erosion: Yes, No

For any answers above, provide explanation and attach sketch or copy of structure from plans and show approximate location of features identified above. Take photos of any features identified above and attach them to this inspection report.

1. There is no sign.
   Gastar has agreed to have signs made and installed at all pits.

2. There are cracks on crest where water has been standing during wet periods.
   Gastar has agreed to dress crest and seed/patch.

WVDEP/DOQ Inspector

Small cracks on crest

No Sign
Standing water on the crest of the impoundment is minor, appears to be old tire track depressions. There are some minor erosion areas that are being addressed already. For the most part, any problems listed in the Impoundment Study are minor at best, and some I disagree with completely.

Rain & snow was not a hindrance to my inspection.
IMPOUNDMENT/PIT INSPECTION CHECKLIST

APPROVED 085-08032

COMPANY: Petro Edge

WEATHER CONDITIONS: Rainy 40

CURRENT FREEBOARD (FT.):

GATED-YES  NO  FENCING INTACT-YES  NO

STANDING WATER ON CREST-YES  NO

ANY CRACKS/SLUMPS/DEPRESSIONS ON CREST-YES  NO

SLOPE EROSION-YES  NO

ANY SLIPS, BULGES OR SLOPE MOVEMENTS ON FILL SLOPES-YES  NO

SAY SEEPAGE EVIDENT ON FILL SLOPES-YES  NO

DOES LINER APPEAR INTACT-YES  NO

IS VEGETATION ADEQUATE-YES  NO

SIGNS & SAFETY-YES  NO

COMPANY PERSONNEL AT SITE: No

INSPECTOR: Ed Cozanski

IMPOUNDMENT/PIT: Ball 1H 48

NAME: CENTRALIZED

ASSOCIATED: 

FOR ANY ANSWERS ABOVE, PROVIDE EXPLANATION AND ATTACH SKETCH OR COPY OF STRUCTURE FROM PLANS AND SHOW APPROXIMATE LOCATION OF FEATURES IDENTIFIED ABOVE. TAKE PHOTOS OF ANY FEATURES IDENTIFIED ABOVE, AND ATTACH THEM TO THIS INSPECTION REPORT.

Pit liner was intact and in good condition.

Noted in report that cracks and voids were found on site, but were above water level and not deep enough to be considered a failure problem.

Inspector:

Hand: Campbell
IMPOUNDMENT/PIT INSPECTION CHECKLIST

APR 103-02704

COMPANY: Stone Energy

WELL PAD: 

DATE: 11-30-12

WEATHER CONDITIONS: Sunny 75°

CURRENT FREEBOARD (FT.): 12

GATED: YES √ NO

FENCING INTACT: YES √ NO

STANDING WATER ON CREST: YES √ NO

ANY CRACKS/SLIPS/DEPRESSIONS ON CREST: YES √ NO

SLOPE EROSION: YES √ NO

IS VEGETATION ADEQUATE: YES √ NO

SIGNS & SAFETY: YES √ NO

ANY SLIPS, BULGES OR SLOPE MOVEMENTS ON FILL SLOPES: YES √ NO

ANY SEEPAGE EVIDENT ON FILL SLOPES: YES √ NO

DOES LINER APPEAR INTACT: YES √ NO

FOR ANY ANSWERS ABOVE, PROVIDE EXPLANATION AND ATTACH SKETCH OR COPY OF STRUCTURE FROM PLANS AND SHOW APPROXIMATE LOCATION OF FEATURES IDENTIFIED ABOVE. TAKE PHOTOS OF ANY FEATURES IDENTIFIED ABOVE, AND ATTACH THEM TO THIS INSPECTION REPORT.

1. Trash observed around impoundment. Stone has agreed to address.

2. Fence is down in areas. Stone has agreed to repair.

3. There is water standing on crest during wet periods. Stone has agreed to work crest and ensure proper drainage.

WVDEP/DOG INSPECTOR

Standing water on crest

Trash

Fence needs repair
IMPOUNDMENT/PIT INSPECTION CHECKLIST

APW 051- WPC-00001  WV-051-0001

COMPANY Noble Energy

WELL PAD

DATE: 11-29-12

WEATHER CONDITIONS: Sunny 34°

CURRENT FREEBOARD(FT.) 41

GATED-YES  NO FENCING INTACT-YES NO

STANDING WATER ON CREST-YES NO

IS VEGETATION ADEQUATE-YES NO

SIGN & SAFETY-YES NO

SLOPE EROSION-YES NO

ANY CRACKS/SLOOPS/DEPRESSIONS ON CREST-YES NO

ANY SLIPS, BULGES OR SLOPE MOVEMENTS ON FILL SLOPES-YES NO

ANY SEEPAGE EVIDENT ON FILL SLOPES-YES NO

DOES LINER APPEAR INTACT-YES NO

FOR ANY ANSWERS ABOVE, PROVIDE EXPLANATION AND ATTACH SKETCH OR COPY OF STRUCTURE FROM PLANS AND SHOW APPROXIMATE LOCATION OF FEATURES IDENTIFIED ABOVE. TAKE PHOTOS OF ANY FEATURES IDENTIFIED ABOVE, AND ATTACH THEM TO THIS INSPECTION REPORT.

1. Minor amount of trash observed around pit. Noble has agreed to address.

Note: Bird netting has been installed.

WVDEP/DOG INSPECTOR
IMPOUNDMENT/PIT INSPECTION CHECKLIST

COMPANY: Noble Energy

DATE: 11-29-12

WEATHER CONDITIONS: Sunny, 34°

CURRENT FREEBOARD (FT.): 3

GATED: YES ☑ NO ☐
FENCING INTACT: YES ☑ NO ☐
STANDING WATER ON CREST: YES ☑ NO ☐
ANY CRACKS/SLUMPS/DEPRESSIONS ON CREST: YES ☑ NO ☐
ANY SLIPS, BULGES OR SLOPE MOVEMENTS ON FILL SLOPES: YES ☑ NO ☐
ANY SEEPAGE EVIDENT ON FILL SLOPES: YES ☑ NO ☐

SLOPE EROSION: YES ☑ NO ☐
IS VEGETATION ADEQUATE: YES ☑ NO ☐
SIGNS & SAFETY: YES ☑ NO ☐

COMPANY PERSONNEL AT SITE: Clayton Murrell

FOR ANY ANSWERS ABOVE, PROVIDE EXPLANATION AND ATTACH SKETCH OR COPY OF STRUCTURE FROM PLANS AND SHOW APPROXIMATE LOCATION OF FEATURES IDENTIFIED ABOVE. TAKE PHOTOS OF ANY FEATURES IDENTIFIED ABOVE, AND ATTACH THEM TO THIS INSPECTION REPORT.

1. Minor amount of trash observed around pit. Noble has agreed to address.

Note: Bird netting has been installed.
1. There are areas where the vegetation could be improved. Noble has agreed to address vegetation concerns next spring.

2. There are slips below both sediment traps. Noble has agreed to repair slips. In order to repair, sediment traps will be removed and replaced by vegetation strips.

Note: Bird netting has been installed.
NAME: Greg Hargis

WEATHER CONDITIONS: Sunny, 36°

CURRENT FREEBOARD (FT.): 14'

GATED: YES □ NO □  FENCING INTACT: YES □ NO □

STANDING WATER ON CREST: YES □ NO □

ANY CRACKS/BUILEPS/DEPRESSIONS ON CREST: NO □

ANY SLIPS, BULGES OR SLOPE MOVEMENTS ON FILL SLOPES: NO □

ANY SEEPAGE EVIDENT ON FILL SLOPES: NO □

DOES LINER APPEAR INTACT: YES □ NO □

FOR ANY ANSWERS ABOVE, PROVIDE EXPLANATION AND ATTACH SKETCH OR COPY OF STRUCTURE FROM PLANS AND SHOW APPROXIMATE LOCATION OF FEATURES IDENTIFIED ABOVE. TAKE PHOTOS OF ANY FEATURES IDENTIFIED ABOVE, AND ATTACH THEM TO THIS INSPECTION REPORT.

1. There is no sign or safety equipment.
   Gaster has agreed to install sign and safety equipment.

2. There are minor erosion areas on fill slope.
   Gaster has agreed to dress areas and install straw matting.

3. There is standing water on crest.
   Gaster has agreed to work crest to ensure proper drainage.

WIDEPPOOS INSPECTOR

[Handwritten notes and diagram of inspection areas]
**IMPOUNDMENT/PIT INSPECTION CHECKLIST**

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<th>AP#</th>
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<td>DATE</td>
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<td>ANY CRACKS/SULCUS/DEPRESSIONS ON CREST</td>
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<tr>
<td>ANY SLIPS, BULGES OR SLOPE MOVEMENTS ON FILL SLOPES</td>
<td>YES ✓ NO</td>
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<tr>
<td>ANY SEEPAGE EVIDENT ON FILL SLOPES</td>
<td>YES ✓ NO</td>
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<tr>
<td>DOES LINER APPEAR INTACT</td>
<td>YES ✓ NO</td>
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<tr>
<td>IS VEGETATION ADEQUATE</td>
<td>YES ✓ NO</td>
</tr>
<tr>
<td>SIGNS &amp; SAFETY</td>
<td>YES ✓ NO</td>
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- small puddles on liner and in ditch due to rain

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**WYDEPVOG INSPECTOR**
IMPOUNDMENT/PIT INSPECTION CHECKLIST

APIS: 617-37-05938

COMPANY: Antero

WELL PAD: Larr

DATE: 27 Nov 12

WEATHER CONDITIONS: Light snow/rain

CURRENT FREEBOARD (FT.): 3

GATED: YES  NO  FENCING INTEGRITY: YES  NO

STANDING WATER ON CREST: YES  NO

ANY CRACKS/SLUMPS/DEPRESSIONS ON CREST: YES  NO

ANY SLIPS, BULGES OR SLOPE MOVEMENTS ON FILL SLOPES: YES  NO

ANY SEEPAGE EVIDENT ON FILL SLOPES: YES  NO

DOES LINER APPEAR INTEGRITY: YES  NO

FOR ANY ANSWERS ABOVE, PROVIDE EXPLANATION AND ATTACH SKETCH OR COPY OF STRUCTURE FROM PLANS AND SHOW APPROPRIATE LOCATION OF FEATURES IDENTIFIED ABOVE. TAKE PHOTOS OF ANY FEATURES IDENTIFIED ABOVE, AND ATTACH THEM TO THIS INSPECTION REPORT.

Some standing water due to rain on crest

Small erosion trench on fill slope

No corrective action needed at this time

Temporary impoundment to be closed in a few months

Wyoming Inspector

R.H.
IMPOUNDMENT/PIT INSPECTION CHECKLIST

APR 67-807-8940, 8941, 8942, 8943

COMPANY  BRC - Blue Scope Resources

WELL PAD  1-2-1-2

DATE  11/31/12

WEATHER CONDITIONS  Fog + cold

CURRENT FREEBOARD (FT)  (a ft +)

GATED-YES  NO  FENCING INTACT-YES  NO

STANDING WATER ON CREST-YES  NO

ANY CRACKS/SLUMPS/DEPRESSIONS ON CREST-YES  NO

ANY SLIPS, BULGES OR SLOPE MOVEMENTS ON FILL SLOPES-YES  NO

ANY SEEPAGE EVIDENT ON FILL SLOPES-YES  NO /; IF YES, ESTIMATE FLOW

DOES LINER APPEAR INTACT-YES  NO

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In inspection since last inspection, unable to find associate problems.

Waste listed were donez. tracking, NO slope movement or slips were found, no seepage, no liner problems.

WATERPROOF INSPECTOR

Feather | Campbell
IMPOUNDMENT/PIT INSPECTION CHECKLIST

APR: 4/25-00035 + 025-00039
COMPANY: PESF Pad #2
DATE: 11/27/12
WEATHER CONDITIONS: Rainy & Foggy
CURRENT FREEBOARD (FT): Ro. 6
GATED: YES ☑ NO ☐ FENCING INTACT: YES ☑ NO ☐ IS VEGETATION ADEQUATE: YES ☑ NO ☐
STANDING WATER ON CREST: YES ☑ NO ☐ SIGNS & SAFETY: YES ☑ NO ☐ SLOPE EROSION: YES ☑ NO ☐
ANY CRACKS/SLUMPS/DEPRESSIONS ON CREST: YES ☑ NO ☐
ANY SLIPS, BULGES OR SLOPE MOVEMENTS ON FULL SLOPES: YES ☑ NO ☐
ANY SEEPAGE EVIDENT ON FULL SLOPES: YES ☑ NO ☐ IF YES, ESTIMATE FLOW: 
DOES LINER APPEAR INTACT: YES ☑ NO ☐

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End. Inspection since WVU report:
Unable to find rails, scrapers, or tidybridges or slope movement or apparent. Trash in impoundment was returnable at source point tags wondering not safe to retrieve. Plastic and flakey piping and beard removed. No problems were detected.

[Signature]

[Signature]