

# Complaints and Reporting Guide: How to Report Mining Problems, Environmental Damage, and Regulatory Failures

Empowering coalfield communities to document impacts, file complaints, and hold agencies accountable.

When something goes wrong- polluted water, mine runoff, subsidence damage, blasting impacts, or regulators ignoring your concerns- it can feel intimidating to speak up. This guide walks you through when, where, and how to report problems under SMCRA and related laws, and includes templates you can use to submit complaints to state and federal agencies.

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## 1. When Should You File a Complaint?

You should file a complaint *any time* you observe or experience:

### Environmental Impacts

- Mine runoff entering streams, creeks, or wetlands
- Blackwater spills
- Acid mine drainage (orange or red water)
- Methane venting or odors
- Dust, blasting impacts, or air quality concerns
- Water supply problems: low flow, contamination, discoloration, foul smell
- Subsidence impacts from longwall or underground mining

### Property Damage

- Cracked foundations, walls, or driveways
- Sinkholes, shifting ground, or sudden depressions
- Loss of well water or spring flow
- Damage to barns, garages, or outbuildings

### Regulatory Failures

- Lack of required inspections
- Permits issued without proper public notice
- Failure to enforce violations
- Failure to provide documents upon request

If you are unsure whether an issue qualifies, report it anyway. Agencies are required to evaluate every complaint.

## 2. Who Should You Contact?

### State Regulatory Agencies

Examples include:

- Alabama: Alabama Surface Mining Commission
- Pennsylvania: PA DEP – Bureau of Mining Programs
- West Virginia: WVDEP – Division of Mining and Reclamation
- Ohio: ODNR – Division of Mineral Resources Management

### Federal Office of Surface Mining (OSMRE)

OSMRE has authority to investigate when:

- A state fails to enforce the law
- A state refuses to inspect
- There is an imminent danger to public health or safety
- You request a Federal Ten-Day Notice (TDN)

### Emergency Contacts

Use when there is an immediate threat:

- A sudden blowout
  - A water supply failure
  - Methane accumulation
  - A landslide or collapse
  - A blackwater spill
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## 3. What to Include in Your Complaint

### ✓ Location

- GPS if possible
- Street address or nearest intersection
- Distance and direction from known landmarks

### ✓ Description of the Problem

- When you first noticed it
- How often it occurs
- What has changed over time

✓ Potential Impacts

- Water supply loss
- Stream pollution
- Property damage
- Health concerns

✓ Documentation

- Photos and videos
- Date-stamped notes
- Water tests (if available)
- Reports from neighbors experiencing similar issues

✓ What You Are Requesting

- An immediate inspection
  - Investigation
  - Enforcement action
  - Water replacement
  - Assistance with emergency hazards
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## 4. Your Right to Request an Inspection

Under SMCRA, you have the legal right to:

- Request an immediate inspection
- Request anonymity
- Accompany the inspector (if safe)
- Receive written findings
- Appeal if the agency refuses to inspect

You cannot be retaliated against for filing a complaint.

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## 5. Templates You Can Use

The following are ready-made templates for common complaint situations.

# TEMPLATE 1: General Mining Complaint

(Surface or Underground Mining Impact)

Subject: Request for Inspection – Suspected SMCRA Violation

To: [State Regulatory Agency Name]

CC: Office of Surface Mining Reclamation & Enforcement (optional)

Dear [Agency Representative],

I am requesting an inspection under the Surface Mining Control and Reclamation Act (SMCRA) to investigate a potential violation near my home/community.

Location of Concern:

[Insert address, GPS coordinates, or description]

Description of the Issue:

[Describe what you observed, when it began, and relevant conditions]

Potential Impacts:

[Impacts to water, property, air, noise, blasting, land stability, etc.]

Documentation:

I have attached the following:

- [Photos]
- [Videos]
- [Notes or logs]
- [Statements from neighbors, if applicable]

Requested Action:

I request that an authorized inspector conduct an on-site investigation as soon as possible. Please notify me of the inspection date and provide copies of all findings and enforcement actions.

I request that my identity remain confidential. (Remove if not needed.)

Thank you for your attention to this matter.

Sincerely,

[Name]

[Contact information]

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## TEMPLATE 2: Longwall Subsidence Complaint

Subject: Immediate Inspection Request- Subsidence Damage from Longwall Mining

Dear [Agency],

I am reporting suspected subsidence damage from ongoing longwall mining beneath or adjacent to my property.

Property Address:

[Address]

Description of Damage:

- Cracks in walls/foundation
- Changes to well water
- Shifts in ground level
- Damage to driveway, barn, outbuildings  
(Describe details)

When the Damage Began:

[Date]

Mining Activity Nearby:

- Longwall panel #[number]
- Operator name (if known)

I request:

- An immediate subsidence inspection
- A pre- and post-mining survey (as required by SMCRA)
- Copies of operator subsidence prediction maps

Please confirm receipt of this complaint and notify me of inspection scheduling and determinations.

Sincerely,

[Name]

## TEMPLATE 3: Water Supply Loss or Contamination

Subject: Emergency Complaint- Loss of Water Supply / Suspected Mining Impact

Dear [Agency],

My household has experienced a sudden loss or deterioration of water supply that may be caused by nearby mining activity.

Address:

[Your address]

Water Supply Affected:

- Well
- Spring
- Household plumbing
- Livestock water source

Description of the Issue:

[Sudden drop in flow, discolored water, odors, contamination signs]

Urgency:

This situation threatens the health and safety of my household. I request emergency temporary water assistance and an immediate hydrologic inspection.

Please notify me promptly regarding the inspection and water replacement process.

Sincerely,

[Name]

## **TEMPLATE 4: Request for a Federal Ten-Day Notice (TDN)**

**(Used when a state fails to act)**

Subject: Request for Federal TDN- State Failure to Enforce SMCRA

Dear Office of Surface Mining (OSMRE),

I am requesting that OSMRE issue a Ten-Day Notice (TDN) to the [State Agency] for failure to take appropriate enforcement action on a previously reported mining concern.

Date Complaint Was Filed with State:  
[DD/MM/YYYY]

Summary of State Response:  
[Not investigated, refused to inspect, determined no violation despite evidence]

Ongoing Problem:  
[Describe continuing damage or risk]

Supporting Documentation:  
[Attach or reference evidence]

Because the state has failed to enforce SMCRA, I request federal intervention.

Sincerely,  
[Name]

## **TEMPLATE 5: Complaint About Lack of Public Notice or Permit Transparency**

Subject: Complaint- Failure to Provide Public Notice / Access to Permit Records

Dear [Agency],

I am writing to report a procedural failure related to public notice or permit transparency.

Issue:

- Lack of required notice for a permit application
- Denial of access to permit files
- Failure to publish information online
- Permits issued without public notice

Under SMCRA and state regulations, the public must be provided full and timely access to permit information.

I request immediate correction and confirmation that public rights have been restored.

Sincerely,  
[Name]



## 6. Tips for Strong, Effective Complaints

- Be specific
- Include dates
- Use photos and videos
- Reference SMCRA rights if applicable
- Send complaints by email + certified mail when possible
- Keep a log of all correspondence

If multiple neighbors observe the same issue, consider submitting joint complaints- they are harder to ignore.

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## 7. Need Help?

Citizens Coal Council can:

- Review your draft complaint
- Help you document environmental impacts
- Assist in filing with state and federal agencies
- Track whether agencies follow up and enforce the law

You don't have to navigate this process alone.