

ACTION ALERT FOR PENNSYLVANIA RESIDENTS OUTSIDE SOUTHWESTERN PA

Tell Pennsylvania Why This Matters Statewide

A practical guide to commenting on the 6th Act 54 Report from anywhere in Pennsylvania

The Citizens Advisory Council's Act 54 Report Committee is accepting public comments on PA DEP's sixth Act 54 report. The report is supposed to explain how PA DEP reviews the effects of underground coal mining on homes, wells and streams, and whether it follows up on required repairs.

Longwall mining is concentrated in Southwestern Pennsylvania, but the program is administered by state agencies accountable to every Pennsylvania resident. Public waters, public records and the quality of state oversight are statewide concerns.

COMMENTS ARE DUE

Tuesday, September 8, 2026

YOU DO NOT NEED TO LIVE IN THE COALFIELDS

State plainly where you live, then explain why accurate records, protected streams, independent review or fair treatment of rural communities matters to you. Your comment does not need to claim a personal mining impact.

WHY COMMENTS ON ACT 54 ARE NEEDED NOW

Act 54 has been in place since 1994. After six reports and decades of documented damage, PA DEP still cannot show whether most damage was repaired. Long-standing failures in stream protection, permit review and public reporting remain. Public comments are needed to build a clear record demanding corrective action, not simply another report.

Why your comment matters

Act 54 is not only a local damage report. It is the public accounting of a PA DEP regulatory program. The report should allow residents, lawmakers and communities to see what was damaged, what was repaired and whether the law is working.

A short comment from outside the affected counties shows that these questions matter beyond the coalfields. It also helps prevent a limited public-comment process from being mistaken for a lack of statewide concern.

KEEP IT HONEST AND SIMPLE

Say that you live outside Southwestern Pennsylvania. Then use one fact from this guide, connect it to something you care about, and make one or two clear requests. Six plain sentences can be enough.

Build your comment in six steps

Aim for 150 to 350 words. Shorter is fine if it is clear and personal.

STEP 1 Say who you are and where you live

Give your name, municipality and county. State plainly that you live outside Southwestern Pennsylvania.

EXAMPLE

My name is _____, and I live in _____ County. I do not live in a longwall-mining community, but I am writing because this is a statewide public-accountability issue.

STEP 2 Explain your connection to the issue

Choose a connection that is true for you. You might care about clean water, public lands, rural communities, transparent government, accurate public data or independent scientific review.

QUESTIONS TO HELP YOU START

- Do you fish, paddle, hunt, hike or volunteer with a watershed group?
- Do you rely on state reports when evaluating environmental or government decisions?
- Do you believe affected residents should be able to see whether required repairs occurred?
- Do you care about how state policy affects rural communities?

STEP 3 Choose one fact and explain why it concerns you

Do not copy a list of statistics. Pick one documented fact and explain, in your own words, why it matters.

EXAMPLE

PA DEP documented 183 mining impacts across at least 27.4 miles of streams, yet none appeared on the impaired-waters list Pennsylvania submitted to the federal government. I expect PA DEP's water records to agree with one another.

STEP 4 Say what good oversight should look like

Explain what you expect from a statewide regulatory program. Examples include independent review, public repair records, consistent water reporting and permit decisions that account for protected streams.

STEP 5 Ask for one or two changes

Choose the requests that best match the reason you are writing. Put them in your own words.

- **Use independent experts for the next report.** Reports 2 through 5 were prepared by contracted university researchers. The sixth report is the first in twenty years written entirely in-house by PA DEP.
- **Record whether damage was repaired,** including cases resolved through private settlements. DEP does not need to see the agreement to record whether a repair was completed.
- **Adopt the 2019 U.S. Geological Survey stream-monitoring method** that Pennsylvania already helped fund.
- **Check for Exceptional Value and High Quality streams before approving mining permits,** not after damage occurs.
- **Update the 35-degree presumption zone for water-supply damage.** The standard is about thirty years old, and today's longwall panels are much larger.

STEP 6 Answer the committee's question about the report

Should the five-year report continue? Should information be posted online more often or presented more clearly? Citizens Coal Council supports better and more frequent online data, but not as a replacement for the five-year report.

EXAMPLE

Please continue publishing the five-year report and restore its independent preparation. More frequent online data should add to the report rather than replace the cumulative public record.

Why this is a statewide issue

You can submit a meaningful comment without overstating your connection. Here are several honest approaches:

- **Public waters:** PA DEP documented 183 mining impacts across at least 27.4 miles of streams in one five-year period. None appears on the impaired-waters list Pennsylvania submitted to the federal government.
- **Public accountability:** The report evaluates a PA DEP program. Residents anywhere in Pennsylvania may ask why PA DEP evaluated its own performance instead of using independent researchers.
- **Rural communities:** When a company purchases a damaged property instead of repairing it, a family may leave while the public record simply closes. That affects the long-term health of Pennsylvania communities.
- **Public resources:** DEP cited a lack of money for an independent report, while the Mine Subsidence Insurance Fund holds roughly \$100 million in surplus and federal cost-sharing has historically covered half the cost.
- **Fair access:** Residents living with the impacts should have an evening hearing in the affected region, not only a daytime meeting connected to Harrisburg.

What makes a comment useful

HELPFUL	AVOID
A clear statement about where you live	Pretending you experienced mining damage
One or two accurate figures	Guessing at figures
A genuine connection to water, public lands or accountability	Copying another letter word for word
A specific request	A long list of unrelated demands
Short, plain sentences	Policy language you would not normally use
Your natural speaking voice	Apologizing because you live elsewhere

YOUR LOCATION DOES NOT DISQUALIFY YOU

PA DEP and the Citizens Advisory Council serve the Commonwealth. Be clear that you live outside the affected region, then explain why the integrity of Pennsylvania’s records and environmental oversight matters to you.

Talking points

Use these ideas in your letter, at a public meeting, on a call to a legislator, or in a conversation with a neighbor. The figures come from PA DEP's records.

The promise

- Pennsylvania allows longwall mining to intentionally subside the ground. The law requires the company responsible for the damage to repair or replace what was affected.
- That was the agreement made in 1994. Mining was allowed to continue, and residents were promised repairs when damage occurred.
- Asking the state to enforce that promise is not the same as opposing mining or coal jobs.

What the record shows

- From 2013 through 2023, PA DEP found mine operators liable for 467 structural-damage claims. Longwall mining accounted for 459, or 98 percent.
- About 3 percent of longwall-attributed damage is documented as repaired. Across all underground mining, the figure is about 5 percent.
- That does not prove repairs never occurred. It shows that PA DEP cannot say what happened in most cases because the outcome was not recorded.
- In one five-year period, 83 percent of liable damage claims ended in an undisclosed agreement or a company purchase of the property. The public record does not show what happened afterward.

The water

- In one five-year period, PA DEP documented 183 impacts across at least 27.4 miles of streams. Ninety percent involved flow loss as water drained into fractured ground.
- When stream flow returns, recovery commonly takes five to ten years. Some streams have not recovered.
- None of the streams PA DEP documented as mining-impaired in that period appears on the impaired-waters list Pennsylvania submitted to the federal government.
- Exceptional Value and High Quality streams are supposed to receive additional protection, but mining permit review does not screen for them before approving a panel.

More facts you can use

The 35-degree line around a water supply

- If mining damages a water supply within 35 degrees of the mined area, the company is presumed responsible. Outside that line, the property owner must prove the connection.
- The 35-degree standard reflects mining practices from about thirty years ago, when longwall panels were much smaller.
- An earlier DEP report found that half of documented water-supply damage occurred outside the 35-degree zone. Some impacts were recorded at angles as steep as 85 degrees.
- The dam at Duke Lake in Ryerson Station State Park was damaged at 66 degrees. The lake was drained and has not returned.

Why many people have not heard about this

- Every five years, Pennsylvania must publish a report on the effects of underground mining. It is the only public accounting of these impacts over time.
- Reports 2 through 5 were prepared by independent university researchers under contract. The sixth report is the first in twenty years written entirely in-house by PA DEP.
- DEP cited a lack of money, while the Mine Subsidence Insurance Fund holds roughly \$100 million in surplus and federal cost-sharing has historically covered half of the reports' cost.
- The comment period was not announced in the Pennsylvania Bulletin and was not posted on PA DEP's website.

If someone pushes back

"Aren't you against coal jobs?" No. Act 54 allows the mining and requires the resulting damage to be repaired. Asking for the repair requirement to be enforced is not opposition to mining.

"DEP says the report contains a lot of data." It does. What it cannot show is whether most documented damage was repaired. A large amount of data is not the same as a complete accounting.

"The settlements are private." Citizens Coal Council is not asking to see private agreements. We are asking DEP to record whether the damage was repaired.

"Isn't this old data?" It is the most recent information Pennsylvania has published. The delay is part of the problem.

ACCURACY MATTERS

Do not say that PA DEP has taken no action or has never taken enforcement action against a longwall operator. The technical review does not establish either claim. A stronger and more accurate statement is that, despite decades of evidence, PA DEP has not corrected systemic failures in repair tracking, stream screening and federal impaired-waters reporting.

A simple outline for your letter

This is a starting point, not a form letter. Replace every bracketed prompt with your own words and delete the instructions before sending it.

To the Act 54 Report Committee of the Citizens Advisory Council:

[Your name, municipality and county. State plainly that you live outside Southwestern Pennsylvania.]

[Why you are writing. Explain your connection to Pennsylvania's waters, public lands, rural communities or government accountability.]

[Choose one or two facts from this guide and explain why they concern you. Use your own words.]

[Explain what you want Pennsylvania to do differently.]

I am asking PA DEP to:

[Choose one or two requests from this guide and explain why they matter to you.]

[Answer whether and how the five-year report should continue.]

Thank you for taking public comment.

[Your name]

[Your municipality and county]

[Your email or phone, optional]

Where to send it

EMAIL SUBMISSION

Email your comment on PA DEP's sixth Act 54 report to Ian Irvin at iirvin@pa.gov, Executive Director of the Citizens Advisory Council. Use "Comment on the 6th Act 54 Report" as the subject line.

Deadline: Tuesday, September 8, 2026

Send your comment to the Citizens Advisory Council's Act 54 Report Committee. You may copy PA DEP's Bureau of Mining Programs, but do not send it only to the Bureau.

Two more ways to help

- Send Citizens Coal Council a copy at aimee@citizenscoalcouncil.org so we can count how many comments were submitted. We will not publish or share your letter without permission.
- Ask the committee to visit longwall-affected communities and hold an evening public hearing in Greene or Washington County. People living with the impacts should not have to travel to Harrisburg to be heard.

Sources: Independent technical review of the 6th Act 54 Report by Stephen P. Kunz and Dr. James A. Schmid of Schmid & Company, Inc.; Citizens Coal Council companion policy assessment. Examples are illustrations, not actual letters.