

ACTION ALERT FOR SOUTHWESTERN PENNSYLVANIA RESIDENTS

Tell Pennsylvania What Happened Here

A practical guide to writing a personal comment on the 6th Act 54 Report

Pennsylvania is taking public comment on how it reviews the effects of underground coal mining on homes, wells and streams. The committee also wants to know whether the state reports these impacts clearly and follows up on repairs.

If you live in Southwestern Pennsylvania, especially Greene or Washington County, your experience may include information that does not appear in any state database. This guide will help you put that knowledge into a short comment in your own words.

COMMENTS ARE DUE

Tuesday, September 8, 2026

YOUR LOCAL EXPERIENCE BELONGS IN THE RECORD

You do not need a legal case, a damage claim or expert knowledge to comment. What happened at your home, on your road, near a well or along a stream is relevant. Approximate dates and plain descriptions are useful.

Why a personal comment matters

Agencies often group identical form letters together. A personal letter is different because it adds a real place, a real experience and details that may not appear anywhere else in the record.

From 2013 through 2023, Pennsylvania found mine operators liable for 467 structural-damage claims. Longwall mining accounted for 459 of them. For most of those cases, the public record does not say whether the damage was repaired.

KEEP IT SIMPLE

You do not have to be a polished writer. Six plain sentences with one real detail are more useful than several pages of general policy language. Write it the way you would explain it to a neighbor.

Write your story in six steps

Aim for 200 to 400 words. Shorter is fine if it is specific.

STEP 1 Say who you are and where you live

Give your name, municipality and county. If you have lived there a long time, include that too.

EXAMPLE

My name is _____, and I have lived in _____ Township, Greene County, for thirty-one years.

STEP 2 Describe what you noticed

Use concrete details. Instead of saying "my property was affected," say "the well went dry" or "a crack ran from the basement floor to the kitchen window." Add a month and year if you know them. A season or approximate date is also useful.

QUESTIONS TO HELP YOU START

- What did you notice first, and when?
- Was the problem in a house, well, spring, pond, stream, driveway, field or outbuilding?
- Did water change color, taste, smell or pressure before it stopped?
- Was mining happening nearby? Do you know the mine or company?
- Did neighbors experience something similar?

STEP 3 Explain what you did next

Explain whom you contacted, whether anyone inspected the problem and what kind of response you received. This is often missing from the official record.

QUESTIONS TO HELP YOU START

- Who did you contact first: the company, DEP, a lawyer or someone else?
- Did anyone inspect the damage? How long did that take?
- If you lost water, were you offered bottled water, a tank or a buffalo?
- Were you told the damage was outside the presumption zone or was not mine-related?
- How long did the process last?

STEP 4 Say how it ended, or that it did not

Was the property repaired, the water replaced, the claim settled, the property purchased or the case left unresolved? If no one returned to confirm that a repair worked, include that detail.

EXAMPLE

They installed a new water line the following spring. No one from the state came back to check it, and I do not know whether the repair was entered into the public record.

STEP 5 Ask for the changes you want

Choose one or two requests that matter most to you. A short, personal request is more convincing than a long list copied from somewhere else.

- **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 the Department.
- **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 in its current form? 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. More frequent online data would be helpful, but it should add to the report rather than replace it.

If you live nearby but were not personally damaged

You can still submit a meaningful local comment. You may know a neighbor whose well failed, use a stream that lost flow, remember changes to a road or hillside, or care about what happens to families when damaged properties are purchased rather than repaired.

Be honest about what you observed directly and what you learned from someone else. Do not try to prove the cause of damage yourself. Describe what you know, identify the place, and ask the state to investigate and maintain an accurate record.

- Explain how long you have lived, worked, farmed or recreated in the area.
- Name the road, municipality, stream, park or watershed that connects you to the issue.
- Describe a change you personally noticed, even if you did not file a claim.
- Explain why a local evening hearing or field visit would make participation easier.

What makes a comment useful

HELPFUL	AVOID
Approximate dates	Guessing at figures
Numbers you know are accurate	Claims about a named person you cannot document
Names of streams, roads and municipalities	Copying another letter word for word
A clear statement about what you do not know	Policy language you would not normally use
Short, plain sentences	Anger without a supporting fact
Your natural speaking voice	Apologizing for your writing

IMPORTANT

If you signed a settlement or confidentiality agreement, talk with your own attorney before discussing your case. Citizens Coal Council cannot interpret your agreement. You may still comment on the report and the state's oversight without describing the terms of your settlement.

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 Pennsylvania'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, the state 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 Pennsylvania 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, the state 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 Pennsylvania documented as mining-impaired in that period appears on the impaired-waters list 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 the Department.
- 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 the Department'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 DEP has never taken enforcement action against a longwall operator. The technical review does not establish that claim. Stick to what is documented: DEP does not confirm most repairs, does not screen the highest-quality streams before permitting, and did not report the documented impaired streams to the federal government.

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. One sentence.]

[Why you are writing. Explain your connection to the area or what happened to you, your property, your water, your road or a nearby stream.]

[Your story. In three to six sentences, describe what you observed, when you noticed it, whom you contacted and what happened afterward.]

[What still concerns you. Mention anything unresolved, never confirmed or missing from the public record.]

I am asking the Department 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 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 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.
- Tell us if you would testify at an evening public hearing in Greene or Washington County. Call 724-470-3982 or email us. Knowing how many people would attend will help us make the case for a local hearing.

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.