

FOR ORGANIZATIONS SERVING SOUTHWESTERN PENNSYLVANIA

Put Local Mining Damage Into the Public Record

The Citizens Advisory Council's Act 54 Report Committee is accepting public comments on PA DEP's sixth Act 54 report. After six reports and decades of documented damage, PA DEP still cannot show whether most damage was repaired.

Organizations working in Southwestern Pennsylvania can bring local knowledge that does not appear in PA DEP's databases. Your letter can identify affected communities, waterways and public lands, while your outreach can help residents submit experiences that an organizational letter cannot replace.

COMMENTS DUE SEPTEMBER 8, 2026

CAC meeting: September 1 at 12:30 p.m. | Organizational letters and individual comments are both needed.

What Act 54 promised

Act 54 of 1994 allowed longwall mining to deliberately subside the surface, even when that cracks foundations, drains wells or takes the flow out of streams. The bargain was that damage would be identified, tracked and repaired. The five-year report is supposed to show whether that happened. The sixth report does not.

THE CENTRAL FINDING

PA DEP has largely stopped recording whether damage was fixed. The report that should expose that failure is the first Act 54 report in twenty years written entirely in-house by the agency it evaluates.

From PA DEP's own records

459 of 467	3%	183 / 27.4 mi	0
Liability structural-damage claims from 2013-2023 tied to longwall mining	Longwall-attributed damage ever documented as repaired	Documented stream impacts and minimum miles affected	Affected streams reported on Pennsylvania's impaired-waters submissions to EPA

What your organization can do

1. Write a short letter on your organization's letterhead. Introduce your work, choose two or three requests from page 2 and answer whether the five-year report should continue. CCC's position: keep the report and add better online data. Do not trade one for the other.
2. Email it by September 8 to Ian Irvin at iirvin@pa.gov with the subject "**Comment on the 6th Act 54 Report.**" Copy aimee@citizenscoalcouncil.org so CCC can document participation.
3. Ask for a field visit to longwall-affected areas in Greene and Washington Counties and an evening public hearing there. Contact Ian Irvin before the September 1 CAC meeting to request a speaking slot.
4. Share CCC's **Southwestern Pennsylvania Residents Guide** with members, neighbors and affected communities. It may be used and shared freely.

SEND TO: iirvin@pa.gov

COPY: aimee@citizenscoalcouncil.org | **DEADLINE:** SEPTEMBER 8

Find the angle that matches your mission

Use the points closest to your organization's work. Two or three clear requests in your own words are enough. This is a menu, not a package.

YOUR ORGANIZATION	WHAT THE RECORD SHOWS	WHAT TO REQUEST
Watershed groups, riverkeepers and Clean Water Act advocates	None of the streams documented as mining-impaired in a full reporting period appeared on Pennsylvania's 303(d)/305(b) submissions to EPA.	Report mining-impaired streams to EPA and reconcile mining records with the Division of Water Quality.
Organizations that have fought for EV or HQ designations	Mining permit review does not specifically screen for Exceptional Value or High Quality designations before longwall operations are approved.	Screen for EV and HQ waters before permits are issued and give those designations meaningful protection.
State parks, public lands and outdoor-recreation groups	The Duke Lake dam at Ryerson Station State Park was damaged at a 66-degree angle, nearly twice the 35-degree presumption threshold.	Revise the 35-degree rebuttable-presumption zone to reflect modern longwall panel dimensions.
Land trusts and conservancies	An earlier PA DEP report found that half of documented water-supply damage occurred outside the presumption zone, at angles as steep as 85 degrees.	Adopt the 2019 USGS streamflow methodology that PA DEP helped fund and retire the 1980s flow-loss model.
Environmental-justice and rural-community groups	In one five-year period, 83 percent of liable claims closed through undisclosed agreements or operator buyouts, leaving no public repair record.	Record and publish repair outcomes, including privately settled claims and properties purchased by operators.
Legal advocacy organizations	The review identified an impaired-waters reporting gap, no antidegradation screening in permit review and stream guidance last substantively revised in 2005.	Revise Technical Guidance Document 563-2000-655 and make compliance a condition of permit review.
Open-government and accountability groups	The report is undated, written by the agency it evaluates and built on a 1990s database that cannot use mapping data operators already submit.	Restore independent authorship, publish the contractor-built databases and properly notice future comment periods.
Climate and energy organizations	A serious transition policy needs an honest accounting of coal's public costs. A record that no longer tracks outcomes cannot provide it.	Fund independent preparation of the seventh report. Federal cost-sharing has historically covered half the cost.

FOR THE SEPTEMBER 1 MEETING

Contact Ian Irvin before the meeting to request a speaking slot. The meeting is held in person and virtually. Check the Citizens Advisory Council meeting page for agenda and access information.

Sources: Independent technical review of the 6th Act 54 Report by Stephen P. Kunz and Dr. James A. Schmid, Schmid & Company, Inc.; Citizens Coal Council companion policy assessment; PA DEP Act 54 webpage.

Mobilize Southwestern Pennsylvania communities

People who live with longwall mining can add dates, places and outcomes missing from the official record. Ask members to comment even if they never filed a formal damage claim.

WHO TO REACH	Residents of Greene and Washington Counties; people who rely on local wells or springs; farmers, landowners and tenants; watershed users; park visitors; and neighbors who observed changes to a road, hillside or stream.
HOW TO FRAME IT	Lead with direct experience and place. Encourage people to identify a municipality, road, watershed, well or stream and explain what happened afterward, including whether anyone returned to confirm a repair.
WHAT TO REQUEST	Request accurate repair tracking, an updated presumption zone, meaningful protection for EV and HQ streams, a field visit and an evening hearing in the affected region.
HOW TO SHARE	Include the Southwestern Pennsylvania Residents Guide with member emails, newsletters, community-group posts and direct outreach. No permission or sign-up is required.

Talking points to adapt

- **THE BARGAIN:** Pennsylvania allows longwall mining to intentionally subside the ground on the condition that resulting damage is repaired. That was the bargain made in 1994.
- **DAMAGE TO HOMES:** From 2013 through 2023, PA DEP found operators liable for 467 structural-damage claims. Longwall mining accounted for 459, or 98 percent.
- **REPAIRS:** Only about 3 percent of longwall-attributed damage is documented as repaired. That does not prove repairs never happened. It proves the public record does not say.
- **STREAMS:** PA DEP documented 183 impacts across at least 27.4 miles of streams. Ninety percent involved lost streamflow.
- **FEDERAL REPORTING:** None of those streams appeared on the impaired-waters list Pennsylvania submitted to EPA.
- **THE REPORT:** The sixth report is the first in twenty years written entirely in-house by PA DEP, the agency it is supposed to evaluate.

ASK PEOPLE TO SPEAK UP
Individual comments from people who live with these impacts carry weight an organizational letter cannot. Ask members to email iirvin@pa.gov by September 8 and copy Citizens Coal Council.