

 Media Contact: Caitlin O’Connor

 Cell Phone: 412-719-5366

 Caitlin@ceislermedia.com

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**Citizens Coal Council Urges DEP to Protect Communities and Streams**

**from Longwall Mining Damage**

*Requirements of Act 54 and the Clean Streams Law not being enforced*

**Washington, Pa.**—The [Citizens Coal Council](http://www.citizenscoalcouncil.org/), a non-profit organization dedicated to protecting the environment and ensuring justice in the nation's coalfields, today issued a report that details the Department of Environmental Protection’s failures to enforce longwall mining operations in Pennsylvania. The council said DEP must do more to enforce its own rules to repair or restore structures and water supplies that are damaged by mining subsidence and to prevent damages to streams and other water resources.

“For years, we have seen the Department issue approvals for longwall mining throughout our region with little to no concern paid to the impacts it has on our environment and local residents,” said Aimee Erickson, Executive Director of the Citizens Coal Council. While longwall mining is permitted under the law, the DEP must protect surface landowners and it must prohibit damages to water resources that are predictable and avoidable, irrespective of the type of mining used.

“This is not an attack against the coal industry, but rather a heartfelt request to the DEP to do the right thing,” Erickson continued. “This agency is supposed to protect our environment and people, and for far too long DEP has failed to fully exercise its oversight authority over this mining practice.”

Longwall mining is a method of coal extraction where large panels of coal are removed without leaving surface support, resulting in widespread subsidence damage. This type of mining is used in the bituminous coalfields in southwestern Pennsylvania, specifically Washington and Greene counties.

Under Act 54, legislation passed in 1994 that amended the Bituminous Mine Subsidence and Land Conservation Act (BMSLCA) of 1966 to allow damage to structures and water supplies, the DEP is required to:

* publish a report every five years on mine subsidence effects;
* ensure that structures and water supplies impacted by mining subsidence are repaired or restored; and
* prevent damage to streams, wetlands, and aquifers from mining activities.

But repair and restoration requirements are not being met—facts documented by the Department’s own recordkeeping. When DEP issues its “Act 54” report every five years, the agency’s own findings repeatedly note that repairs to subsidence-damaged homes and water supplies are rare. The agency’s reports also document that collateral damage from longwall mining activities is causing widespread pollution to surface waters and groundwater resources.

The Citizens Coal Council today released a comprehensive 106-page [report](http://www.citizenscoalcouncil.org/uploads/4/1/2/7/41275979/act_54_report_january_2021_final.pdf) “Undermining Trust: The Collapse of Environmental Protection in Pennsylvania,” which summarizes the DEP’s failures to adequately enforce the provisions of Act 54 and the Clean Streams Law. By allowing longwall damages to the environment and to individuals’ properties without repairs being made within a reasonable time frame, the Citizens Coal Council contends that the public’s trust in the agency has been eroded and the Department has abdicated its own trustee obligations under the Pennsylvania Constitution.

The CCC report uses DEP data to show that since Act 54 was passed more than 25 years ago, the following has occurred:

* 175,815 acres of land have been undermined, including 14,771 surface properties
* Longwall mines have been overwhelmingly responsible for all damages incurred by underground coal mining, including 95 percent of all damages that occurred during the 5th Act 54 period
* 1,427 structures have been damaged (94 percent due to longwall mining)
* 1,726 water supplies have been damaged (67 percent due to longwall mining)
* Less than 10 percent of all damages to structures and water supplies are being repaired (contrary to Act 54’s requirements)
* 362 incidents of stream damage/pollution have occurred (99 percent due to longwall mining)
* Dozens of miles of streams are damaged every 5-year period, most take longer than 5 years to be restored, and some are damaged irreparably.

“I’ve been reviewing Act 54 reports for more than two decades and the DEP must do better,” said Steve Kunz, Senior Ecologist at Schmid & Company, Inc. “We are asking DEP to enforce the laws and regulations that currently exist on the books, not to create any new ones.”

On January 19, 2021, the Citizens Coal Council will present its findings to the DEP’s Citizens Advisory Council (CAC) during a regularly scheduled virtual meeting. The CAC reviews current environmental laws and regulations and has the authority to advise and make recommendations to the DEP on how it can better meet its obligations.

The Citizens Coal Council will call on the Citizens Advisory Council and the DEP to acknowledge the Department's failures regarding longwall subsidence damage and request that the agency begin to fully enforce the law to protect individuals and the environment from mining operations. The public can attend the CAC meeting by phone or zoom per directions on the CAC’s [website](https://www.dep.pa.gov/PublicParticipation/CitizensAdvisoryCouncil/Meetings/Pages/default.aspx). Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Keith Salador at ksalador@pa.gov or (717) 787-8171.

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**About the Citizens Coal Council:**

Founded in 1989, the Citizens Coal Council is a non-profit organization dedicated to protecting people, land, and water from the dangers that are associated with coal mining. Its mission is to inform, educate, empower, and work for and with communities affected by the mining, processing and use of coal. To learn more about the organization visit [citizenscoalcouncil.org](http://www.citizenscoalcouncil.org/).