



Pennsylvania Department of Environmental Protection

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**P.O. Box 2063**  
**Harrisburg, PA 17105-2063**  
June 1999

Secretary

717-787-2814

**To Gov. Tom Ridge, Members of the General Assembly,  
Environmental Quality Board and Citizens Advisory Council:**

I am pleased to provide you with this copy of the first report on the surface impacts of underground coal mining required by 1994 amendments to the Bituminous Mine Subsidence and Land Conservation Act (Act 54).

Act 54 changed the basic law regarding how damage to structures and water supplies caused by underground coal mining are handled between the owners of surface structures and mine operators. The law was needed because owners of surface property rights in western Pennsylvania typically do not own the rights to coal under their property.

The act, for the first time, provided for replacing water supplies damaged by underground mining, put in place a “you break it, you fix it” rule for many types of structures that could be damaged by deep mining and extended basic damage coverage to structures built after 1966 that previously had no coverage. Detailed procedures for handling these impacts are spelled out in the act.

The act requires DEP to assess the surface impacts of underground mining on buildings, water supplies and streams every five years. This first report covers mining done between August 1993 and August 1998. During that time 39,000 acres (61 square miles) of surface lands with about 91 miles of streams were undermined by coal operators in 10 western Pennsylvania counties.

expressing dissatisfaction with the repairs or compensation offered by coal mine operators under Act 54. In addition, sixteen incidents of stream damage were reported by property owners, however, many could not be confirmed.

Many of the cases where damage has been reported are still pending under the procedures in Act 54 and are not permanently resolved. This report contains the results of DEP's investigations through March of 1999. DEP plans to issue a supplement to this report later in 1999 providing more information on these cases and the results, in particular, of further investigation of cases involving stream damage. DEP will provide you with updated pages to this report each reflecting the dates the new information becomes available.

Although cases involving structural and water supply damage are pending, mine operators are complying with the state mine subsidence law, providing temporary water supplies as required, and, when relocation is necessary, paying the expenses. DEP has the authority to investigate and act on cases where emergency situations arise or where operators do not live up to their obligations under the law.

Because this is a preliminary report, the information it contains should not be used to draw any long-term conclusions about the impacts of underground mining.

A detailed summary of the report called "At A Glance – Act 54 Report on Impacts of Underground Coal Mining" as well as the entire report complete with maps showing mined areas from DEP's geographic information system follows.

This report is also available through DEP's website at: <http://www.dep.state.pa.us> (choose Subjects/ Mineral Resources/ Bureau of Mining and Reclamation/ Act 54). Also available through DEP's website is a narrated PowerPoint presentation on how mine subsidence occurs and how it impacts on surface structures and streams.

Sincerely,

A handwritten signature in black ink, appearing to read "James M. Seif". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James M. Seif  
Secretary