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Working together
for justice in the
coalfields

January 12, 2018

Donald S. Welsh, Chair
Citizens Advisory Council
PA Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101
donaldswelsh@gmail.com

In re: Comments on Scope of Work for 5th Act 54 Five-Year Assessment

Dear Mr. Welsh:

At your most recent Citizens Advisory Council (CAC) meeting in November, Sharon Hill and Greg Shuler outlined the work proposed to be included in the 5th Act 54 Five-Year Assessment, which will be prepared for the Department by the University of Pittsburgh. This Assessment will focus on the effects of subsidence from underground coal mining during the 5-year period August 2013 to August 2018. As you know, these five-year Assessments are required by statute to be provided to the Governor, the General Assembly, and the CAC.

The Citizens Coal Council (CCC) appreciates the efforts by CAC over the years in providing public oversight of the Act 54 impact review process. We also thank you for your assistance in making the Scope of Work for this 5th Assessment publicly available last month on the [Department's Bureau of Mining website](#). We note that the Department has allocated generous funding for this 5th Assessment. CCC believes, however, that the Scope for the 5th Assessment contains a number of deficiencies and other problems that, if not corrected, will detract from the accuracy and ultimate effectiveness of the 5th Assessment.

Attached are detailed comments on the Scope of Work for the 5th Assessment. These comments have been prepared on behalf of CCC by Stephen Kunz, Senior Ecologist with Schmid & Company, Inc. For over 10 years CCC, with technical assistance from Schmid & Company, has been actively involved in protecting coalfield families and environmental resources from unnecessary damage associated with underground coal mining in Pennsylvania. Among other things, Schmid & Company has prepared detailed reviews of both the 3rd and 4th Act 54 Five-Year Assessments for the CCC¹. We have made numerous presentations to the CAC on the

¹ [Review and Analysis of PADEP's 3rd Act 54 Assessment \(April 2011\)](#)
[Review and Analysis of PADEP's 4th Act 54 Assessment \(March 2015\)](#)

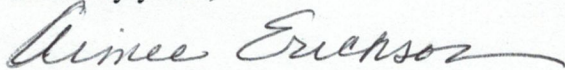
results of our reviews and have tried to provide useful, practical, and timely comments on how perceived shortcomings could be addressed.

The contract period for this 5th Act 54 Assessment began on 1 September 2017, but analyses presumably will not proceed in earnest until the 5-year period under review closes on 20 August 2018. Thus, there should still be adequate time to make adjustments in the proposed focus and methods that may provide a significant improvement in the quality and usefulness of the 5th Assessment when completed in late 2019.

I am copying Ms. Murray so that she may share these comments with your other members so that Council might consider them at this month's meeting and, if appropriate, support our concerns in urging that the Department make necessary adjustments to the proposed Scope of Work.

Please let me know if you have any questions.

Sincerely yours,

A handwritten signature in cursive script that reads "Aimee Erickson". The signature is written in black ink and has a fluid, connected style.

Aimee Erickson
Executive Director

Attachment

cc: Lee Ann Murray, CAC Executive Director leemurray@pa.gov