

***If you have any further questions,
contact the following environmental
groups and government agencies.***

Mountain Watershed Association, Inc.
www.mtwatershed.com
(724) 455-4200

TriState Citizens Mining Network
www.tristatecitizens.org
724-223-8644

PA Department of Environmental Protection (DEP)
www.dep.state.pa.us/
(724) 925-5500

OH Division of Natural Resources (ODNR)
www.dnr.state.oh.us/
614-265-6633

WV Department of Environmental Protection (DEP)
www.dep.state.wv.us/
(304) 759-0595

Office of Surface Mining (OSM)
www.osmre.gov/

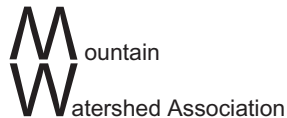
***The information in this brochure
no way constitutes a legal opinion.***

It is a list of suggestions.

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Citizen's Guide to Using the Law To Fight
Back Against the Ravages of Strip Mining
and Underground Mining by Mark Squillace

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For additional copies of this brochure
and others in the series, contact the



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Phone: (724) 455-4200 Fax: (724) 455-4201
Email: mwa@helicon.net
www.mtwatershed.com

Remember!

☛ **Do not sign anything without reading it completely and thoroughly. It is always wise to consult with your attorney before signing any legal documents!**

☛ **You are entitled to a 300-foot buffer around your house to protect your home from mining and blasting!**

☛ **The mining company is responsible for replacement of your water supply if they pollute it, reduce it, or take it!**

☛ **Keep good, accurate written records! Document Everything!**

☛ **Blasting Is Not Allowed to cause ANY damage to your home!**

☛ **If you sustain damage to your home, file a written citizens' complaint with the PA (DEP) Department of Environmental Protection and the federal Office of Surface Mining!**

☛ **You have the right to ask for an inspection!**



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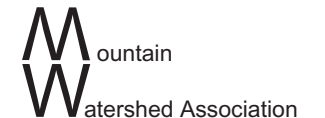
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We all live downstream... www.mtwatershed.com

Strip Mining Near You?



Know Your Rights!



We all live downstream...

Mountain
Watershed Association
P.O. Box 408
Melcroft, PA 15462

READ, AND UNDERSTAND, BEFORE YOU SIGN

Do not sign anything without reading it completely and thoroughly. Even if the Department of Environmental Protection's (DEP) name is on the paper, you must understand what you are signing.

The Department of Environmental Protection's job is to approve and issue permits for mining activities and check on the operation to see if the company is following the laws, not to make sure that you do *not* make any mistakes in dealing with the mine operator.

PROTECT YOUR HOME

You are entitled to a 300-foot buffer around your house to protect your home from mining and blasting. *The mining company may ask you to waive or give up that protection.*

Make sure you know if you are being asked to give up protection for your home and water supply or your septic system. Make sure what you sign contains every term you agreed upon when talking to the company. What you sign, not what you say, could determine your rights. If you sign a Supplemental C form, you are giving the company and the Department of Environmental Protection permission to come on your property until the mining activity is COMPLETELY OVER.

This could be years later or forever (according to the DEP), particularly if the company creates a problem during the mining, such as causing a discharge. This could affect land value and future use.

THEY TAKE IT-THEY PAY FOR IT

The mining company is responsible for **replacement** of your water supply if they pollute it, reduce it, or take it.

If the mining company affects your water supply in these ways, it is also responsible for *any increased costs of water for you. You do not have to agree to anything that says you give up your right to water, to a lesser water supply, or to cover any costs you have in obtaining a new supply or system.*

Let the company take water samples before the mining starts. Or ask the Department of Environmental Protection (DEP) to take them. Then you have information that shows "the before mining" picture.

PRE-BLAST SURVEY

If you own a structure within one-half mile of the permit area (not the area where blasting will take place but the outer boundaries of the entire permit area), you should have been offered a pre-blast survey. If it is offered, accept the offer as a protection to you. If it is not offered, ask the DEP, **in writing**, to require one.

NO BLASTING DAMAGE ALLOWED

Blasting Is Not Allowed to cause ANY damage to your home. Not even cosmetic damage.

If you sustain damage to your home, file a written complaint (samples are available through MWA) with the PA Department of Environmental Protection and the federal Office of Surface Mining.

The mining company will want you to complain to it, not to the DEP. This could be because it may not want to change its blasting practices to prevent similar damage later and elsewhere. If the DEP reviews complaints and finds the company is causing damage, hopefully the DEP will make the company stop causing damage.

WRITE IT DOWN!

Keep good, accurate written records. Record times of blasts and how they affected you or your home.

RECORD EVERYTHING !

Record losses or changes in water supply. Record what is told to you and who said it.

COMPLAINTS

You have the right to file a complaint with the DEP and the Office of Surface Mining (OSM) in writing. (Call the MWA at 724-455-4200 for details.)

The MWA has samples of complaints for you to review. Every time you think the company is blasting over the limits or you have a problem with your water supply, you should fill out a complaint and send it to the Department of Environmental Protection.

If, for example, you are experiencing problems with the quantity or quality of your water supply, and you have reason to believe that current mining is responsible, you may file a complaint.

You will probably be asked if you want your

complaint held confidential. You decide whether you want this complaint to be confidential or public.

A confidential report does NOT help other people or allow other people to know whether there are problems with the mining in your area or at a particular site.

Please help your neighbors and make your complaint for the public record.

Be sure to *Keep A Copy* yourself so you have a paper trail.

YOU HAVE THE RIGHT TO ASK FOR AN INSPECTION!

This goes hand in hand with filing a complaint. Even if no violation is found, you have put everyone on notice that you are looking out for your interests. You have a right to accompany an inspector on site for an inspection of possible violations in many situations.



Remember!
You should always make your complaints in writing and follow up telephone complaints with written complaints.