

David Williams, P.E., Mining Engineer

50+ years of anthracite mining experience, which includes 16 years employed by the DEP as a mining engineer supervisor in the Anthracite Underground Mine Safety Division.

Bachelor of Science degree in Mining Engineering from Penn State University.

Licensed Professional Engineer in Mining.

Classified as an expert witness in anthracite mining engineering matters in County, State and Federal court.

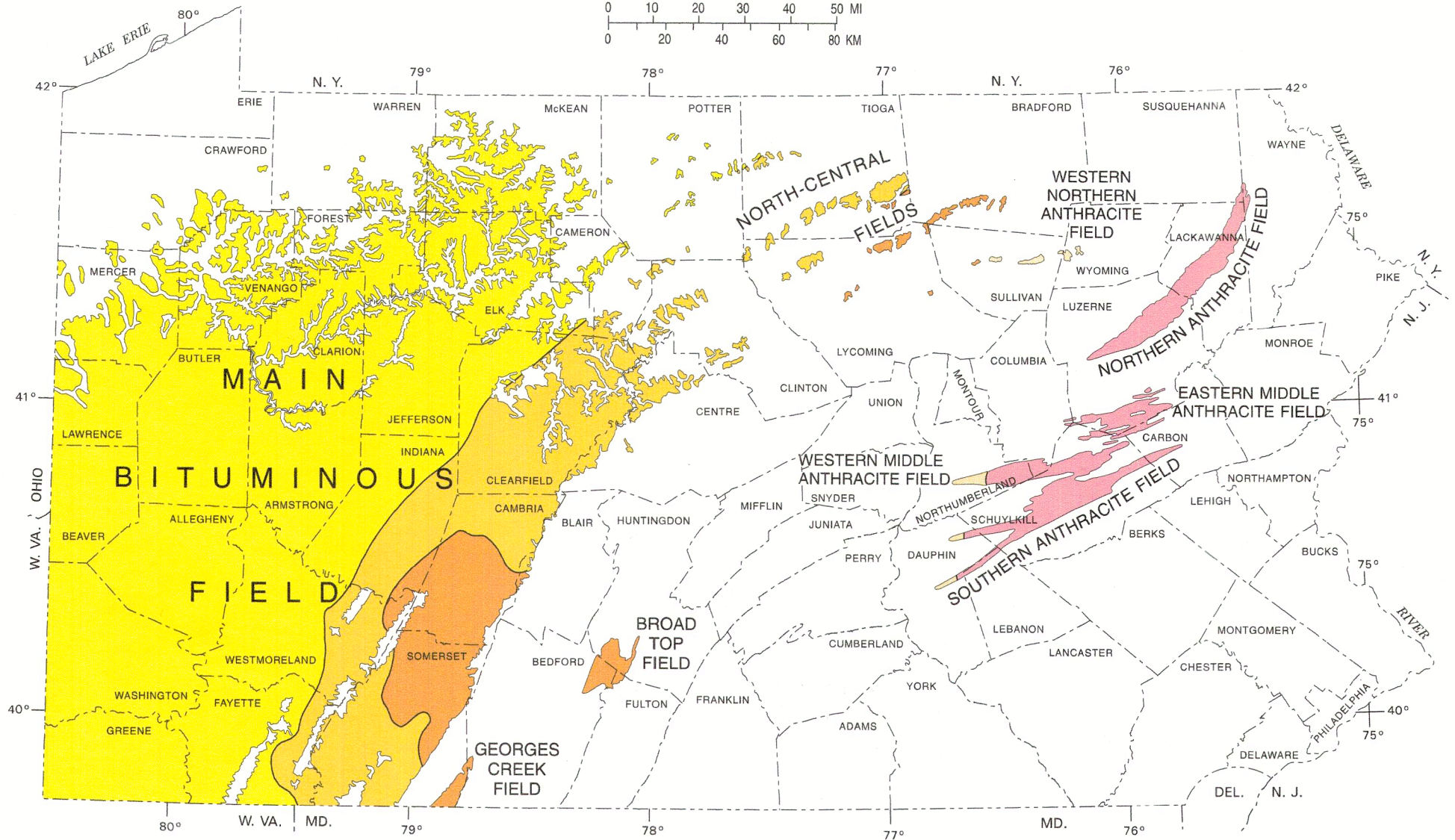
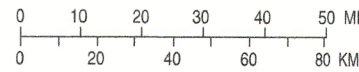
Testified in front of former Governor Schweiker's Mine Void Commission. His testimony led to the scanning of all available mine maps in Pennsylvania available to the public on the PASDA web site under "Mine Map Atlas".

Board member of the Anthracite Society of Mining Engineers.

Member of the Independent Miners Association.

DISTRIBUTION OF PENNSYLVANIA COALS

SCALE 1:2,000,000



EXPLANATION

BITUMINOUS FIELDS



ANTHRACITE FIELDS





pennsylvania
DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES

Educational Series 7



IN PENNSYLVANIA

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES**

BUREAU OF GEOLOGICAL SURVEY

Educational Series 7

Coal in Pennsylvania

by William E. Edmunds



PENNSYLVANIA GEOLOGICAL SURVEY
FOURTH SERIES
HARRISBURG

2002

COMMONWEALTH OF PENNSYLVANIA

Josh Shapiro, Governor

**DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES**

Cindy Adams Dunn, Secretary

OFFICE OF CONSERVATION AND TECHNICAL SERVICES

Claire Jantz, Deputy Secretary

BUREAU OF GEOLOGICAL SURVEY

Gale C. Blackmer, Director

longwall mining is very efficient and can produce a large amount of coal in a short time.

In open-pit mining (strip mining) the rocks overlying a coal seam are first broken up by blasting and then removed by giant power shovels. The exposed coal is then removed with smaller equipment. Open-pit mining, though highly efficient and able to recover virtually all the coal, is usually limited to those areas where the rock cover over the seam is less than 50 to 100 feet thick. The economics of open-pit mining are enhanced if multiple coal beds can be mined in the same operation.

In auger mining, the coal is removed by use of giant drills much like the drill portion of a brace-and-bit used by carpenters when drilling holes in wood. The drills, driven horizontally into a coal seam, feed the coal out much as wood chips are fed out by a wood drill. Augers are most commonly employed to drill into the coal seam exposed at the base of the excavation made in open-pit mines that have reached the maximum economic size.

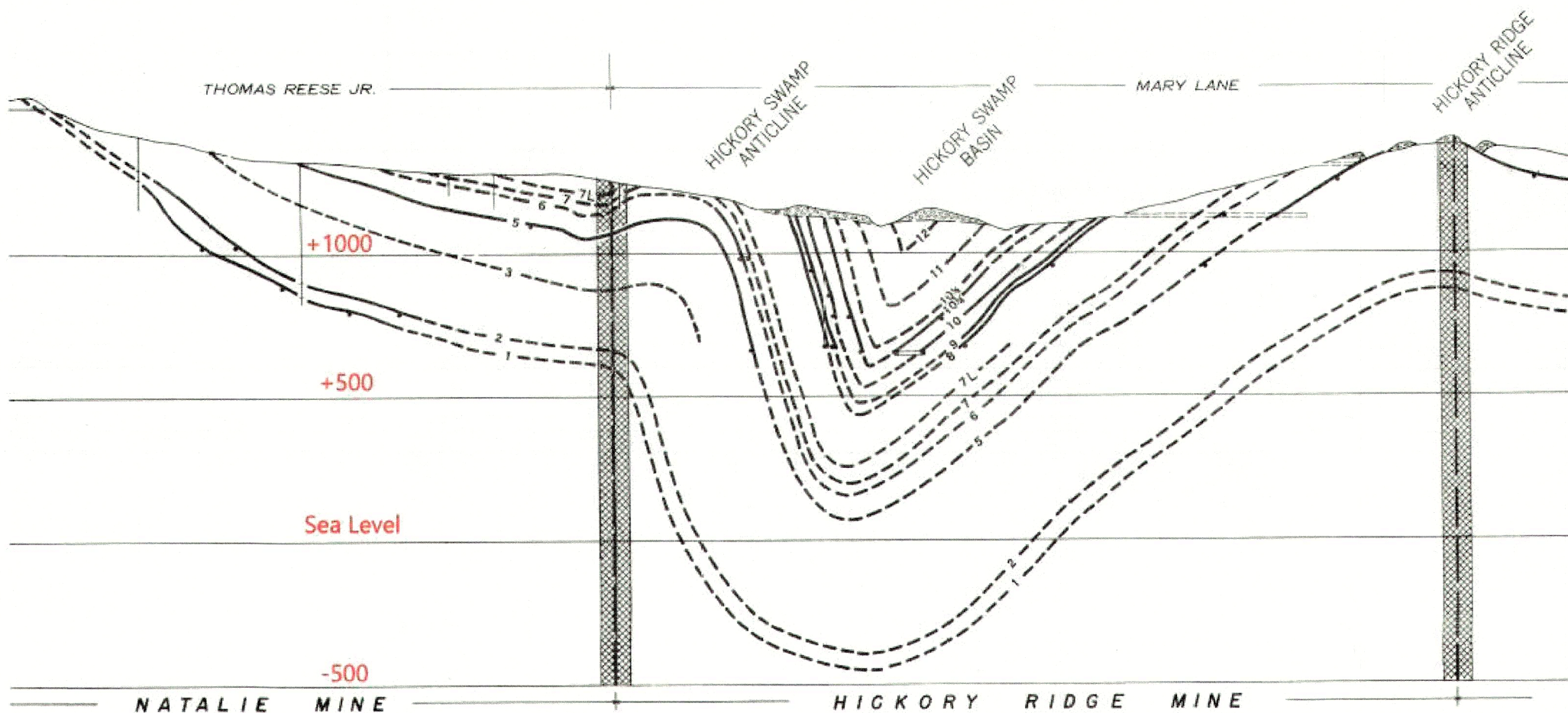
COAL RESOURCES OF PENNSYLVANIA

It has been calculated that prior to any mining, Pennsylvania had reserves of more than 84 billion tons of bituminous coal and almost 23 billion tons of anthracite and semianthracite coal, for a grand total of more than 107 billion tons (Table 2). Prior to January 1, 2005, more than 20 billion tons of bituminous coal and almost 11 billion tons of anthracite had been mined or made unavailable to future recovery by being left in such things as pillars that support the roofs of the mines.

A total of 76 billion tons of coal remain (64 billion bituminous and 12 billion anthracite) in Pennsylvania. The coal mined first was the thickest and most easily accessible. The remaining coal seams are thinner and more difficult and expensive to recover. Much of what remains will be very difficult to utilize in the foreseeable future.

Table 2. *Estimated Coal Resources of Pennsylvania in Billions of Tons*

Type of coal	Estimated original resources	Approximate mined out and otherwise lost	Approximate remaining resources (as of January 1, 2005)
Bituminous coal	84.6	20.6	64.0
Anthracite	22.8	10.8	12.0
Total	107.4	31.4	76.0



CROSS SECTIONS SHOWING THE STRUCTURE OF THE COAL BEDS

500 0 500 1000 1500 2000 Feet
VERTICAL AND HORIZONTAL SCALE

"Our coal miners are among the hardest-working and most courageous people in our state. They represent the strength, humility, and resolve that define West Virginia. We owe these men and women an enduring debt of gratitude for the sacrifices they make every day to power our communities and our nation!" Gov. Morrissey of West Virginia. November 11, 2025

Section 132. Mine Rescue Crews

The secretary is hereby authorized to have trained and employed at the rescue stations operated by the department, such rescue crews as he may deem necessary. Each member of a rescue crew shall devote adequate time for training purposes as determined by the secretary, and shall be available at all times to assist in rescue work as explosions, mine fires and recovery work.

Members of the mine rescue crews shall be compensated at rates commensurate for the area as determined by the secretary and payable on requisition approved by the secretary, and such other sums, to be paid by the operating company, as may be agreed upon when engaged in rescue work at explosions, mine fires or recovery work. The secretary may remove any member of a rescue crew at any time.

(132 amended Oct. 12, 1973, P.L. 282, No. 80)



Pennsylvania
**Department of
Environmental Protection**

October 23, 2025

The Honorable David G. Argall
Senate of Pennsylvania
Senate Post Office Box 203029
Harrisburg PA 17120-3029

Dear Senator Argall,

Thank you again for your inquiry regarding the mine rescue crew requirements for anthracite underground mining operations.

Unfortunately, the Department of Environmental Protection is currently unable to move forward with this initiative. At this specific time, implementing a plan that is not cost-neutral is prohibited. We remain committed to exploring options with our union partners if resources allow for such.

Should you have any additional questions, please contact Taylor Nezat, Director of Legislative Affairs, by email at tnezat@pa.gov or by telephone at 717.783.8303.

Sincerely,

A handwritten signature in cursive script that reads "Jessica Shirley".

Jessica Shirley
Secretary

BYLAWS

Revised February 20, 2020

PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION ENVIRONMENTAL JUSTICE ADVISORY BOARD

ARTICLE I. NAME: The name of this Board shall be the Pennsylvania Department of Environmental Protection's *Environmental Justice Advisory Board (EJAB)*.

ARTICLE II. AUTHORIZATION: The EJAB is authorized by the Secretary of the Pennsylvania Department of Environmental Protection.

ARTICLE III. PURPOSE: The EJAB may recommend to the Secretary the adoption, amendment, or repeal of such rules, regulations, standards, criteria, policies, guidance and procedures as it deems necessary and advisable for implementation of the agency's environmental programs and recommendations of the Environmental Justice Work Group.

ARTICLE IV. MEMBERSHIP: The Board shall consist of 15 members from a broad cross-section of interests including, but not be limited to, private citizens from low-income and minority communities, regulated entities, local governments, environmentalists, academia, and industry.

The Secretary of the Department shall appoint or reappoint members of the Board at the Secretary's discretion for a two-year appointment or to complete an existing vacant term.

- A. Any member not attending two (2) consecutive meetings without prior notice to the chairperson may be recommended for removal upon a vote of the board. The chairperson will make this recommendation to the Secretary of the Department.
- B. Board members represent themselves even though they have been selected to serve in the above broad categories.
- C. The Secretary of the Department may, at any time, fill any vacancy on the Board.
- D. Members shall be permitted to vote via a proxy vote on issues that have previously been discussed or distributed. Proxies shall be submitted in writing via email or delivery of documents prior to the vote to the attention of the staff of the Department supporting EJAB.
- E. Participation in Meeting by Telephone and Other Means – One or more members may participate in a meeting of the board by conference telephone or similar communications equipment by which all persons participating in the meeting can

hear each other. All persons so participating shall be deemed present in person at the meeting.

ARTICLE V. VOTING: Members shall be entitled to one (1) vote, in person, on all matters that come before the Board. A quorum for voting requires the presence of half plus one Board members. An affirmative vote is a simple majority of those members present. Presence is defined as (i) in person; (ii) in a manner where Board Members can, within reason, communicate in real time including but not limited to conference calls and computer conference. Members are permitted to vote via a proxy vote in accordance with Article IV-D. No action can be taken on a specific matter unless the meeting and its agenda meet the requirements of the Pennsylvania Sunshine Act.

ARTICLE VI. OFFICERS: The officers of the Board shall be a chairperson and a vice-chairperson.

- A. **CHAIRPERSON:** It shall be the duty of the chairperson to preside at all meetings of the Board, call special meetings, and perform such other duties as pertain to the office of chairperson.
- B. **VICE-CHAIRPERSON:** It shall be the duty of the vice-chairperson to perform the duties of the chairperson in their absence. Vice-Chairperson shall also assist the chairperson in the performance of such duties as may be assigned by the chairperson.
- C. **TERM OF OFFICE:** The term of office shall be two calendar years or until successors are elected.

ARTICLE VII. SECRETARY: The Department of Environmental Protection shall delegate an employee to perform the necessary secretarial duties for the Board. The Office of Environmental Justice will perform the secretarial duties which includes: providing timely notice of meetings and standing committee meetings to the affected members and to the public; recording, transcribing, and maintaining a permanent file of the transactions (including minutes) of the Board; receipt, preparation, and transmittal of incoming and outgoing correspondence of the Board and maintenance of a permanent file of such correspondence; performing such duties as may be requested by the Board.

ARTICLE VIII. ELECTION OF OFFICERS: The officers of the Board shall be elected at any meeting or special meeting of the board where quorum has been attained in accordance to Article V. Officers shall be elected by a simple majority of those members present at any meeting where a quorum has been attained, provided that written notice of the election was sent to each member at least one week prior to the meeting.

ARTICLE IX. STANDING COMMITTEES: The Board can create committees (at its discretion) and establish guidelines for their operations.

ARTICLE X. MEETINGS: The Board will meet quarterly. Regular meeting dates shall be established on an annual basis. Alternate meeting dates and additional meetings shall be called by the chairperson or at the request of the Department. Subcommittee meetings shall be called by subcommittee chairpersons with notification to the full Board.

ARTICLE XI. OUTSIDE PRESENTATIONS: Outside presentations such as speakers, films, etc., will be allowed at the discretion of the chairperson. Any member may request the Board as a whole to determine whether a presentation shall be permitted.

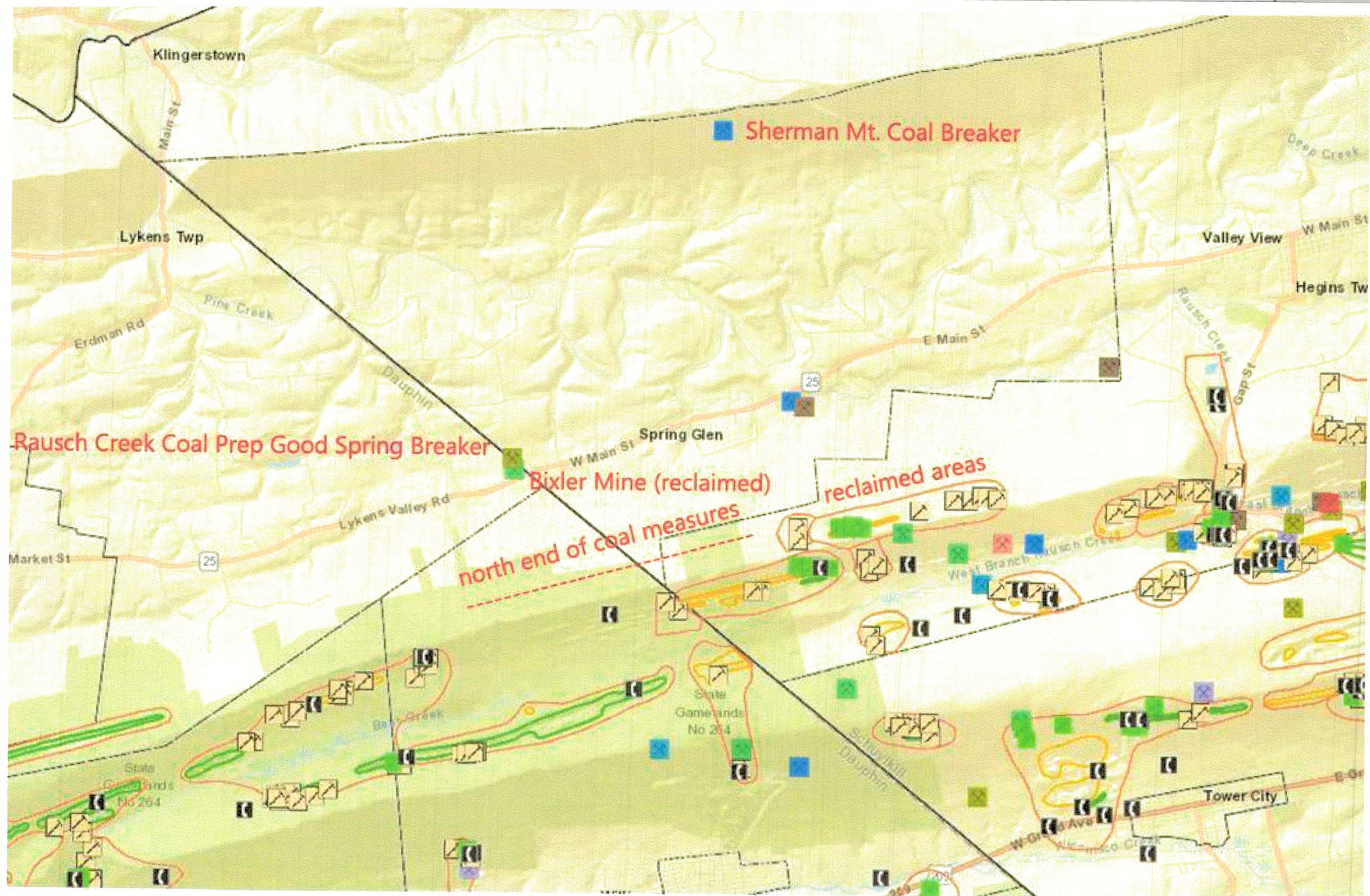
ARTICLE XII. AMENDMENTS: These bylaws may be amended, repealed, or suspended at any meeting of the Board by a simple majority vote of the quorum present at that meeting provided that written notice of such amendment, repeal, or suspension shall be sent by to each member at least one (1) week prior to the meeting.

ARTICLE XIII. Written Notice: Whenever written notice is required to be given by these bylaws, it may be given in person; or by sending a copy thereof by first class or by facsimile transmission ("FAX"); or by electronic mail, to the address or number supplied to the EJAB for the purpose of notice. If the notice is sent by mail, it shall be deemed to have been given when deposited in the United States mail or with a telegraph office or courier service for delivery. If sent by FAX or by electronic mail, it shall be deemed given when dispatched. A notice of meeting shall specify the place, day and hour of the meeting and any other information required by statute or these bylaws.

ARTICLE XIV. BOARD REPRESENTATION: The Board shall act as a body in all matters, and only the chairperson or his or her designated spokesperson shall communicate with the Secretary or with third parties on behalf of the Board. Board members can meet with these parties with the intent of representing themselves.

Environmental Justice Board Members

- Dr. Jennifer Baka, Pennsylvania State University
- Dr. Heather Bedi, Dickinson College
- Adam Cutler, Fox Rothschild, LLP
- Dr. Lisa DePaoli, Center for Coalfield Justice
- Bobby Hughes, Eastern Pennsylvania Coalition for Abandoned Mine Reclamation
- Sophia Lee, Greenberg Traurig, LLP
- Rashida Lovely, Northeast Pennsylvania Pan African Coalition (NEPAPAC)
- Rafiyqa Muhammad, Ngozi Inc.
- K. Jacquelyn Omotalade, Dreams.org
- Mia Ray, Penn State College of Medicine/Milton S. Hershey Medical Center
- Jerome Shabazz, Overbrook Environmental Education Center
- Maurice M. Sampson II, Clean Water Action
- Tom Torres, Ohio River Valley Institute
- Curtis Jones, Government Affairs for the Erie Regional Chamber
- Ramon Johnson, Catholic Charities Counseling & Adoption Services



eMapPA

This map is used to show errors and lack of updates on land in the western portion of Schuylkill County.

Environmental Justice

Public Hearings — Formal, structured proceedings that afford the public the opportunity to provide verbal testimony for consideration by DEP in its review of applications for the project. DEP staff receives testimony but does not answer questions at public hearings. Verbal testimony provided at public hearings is transcribed by a court reporter and together with written comments are considered by DEP in the application review process and are typically addressed by DEP in a Comment-Response Document as part of a public comment period. While some hearings may be required by regulations, others may be held at DEP's discretion.

**Please note that the answers to the Comment-Response Document must be approved by the legal department of the DEP. This can take months and in some cases years to arrive at final approval of the Responses provided by the technical reviewer of the application.*

1. PROJECT INFORMATION

Project Name:

Date of Review: 11/5/ 11:32:10 AM

Project Category: **Mining, Coal (strip, deep, long-wall, refuse disposal)**

Project Area: **419.39 acres**

County(s): **Schuylkill**

Township/Municipality(s): **Township**

ZIP Code:

Quadrangle Name(s):

Watersheds HUC 8: **Lower Susquehanna-Penns**

Watersheds HUC 12: **Rausch Creek-Pine Creek; Upper Wiconisco Creek**

Decimal Degrees:

Degrees Minutes Seconds:

2. SEARCH RESULTS

Agency	Results	Response
PA Game Commission	Potential Impact	FURTHER REVIEW IS REQUIRED, See Agency Response
PA Department of Conservation and Natural Resources	Potential Impact	FURTHER REVIEW IS REQUIRED, See Agency Response
PA Fish and Boat Commission	No Known Impact	No Further Review Required
U.S. Fish and Wildlife Service	Potential Impact	MORE INFORMATION REQUIRED, See Agency Response

As summarized above, Pennsylvania Natural Diversity Inventory (PNDI) records indicate there may be potential impacts to threatened and endangered and/or special concern species and resources within the project area. If the response above indicates "No Further Review Required" no additional communication with the respective agency is required. If the response is "Further Review Required" or "See Agency Response," refer to the appropriate agency comments below. Please see the DEP Information Section of this receipt if a PA Department of Environmental Protection Permit is required.

Evaluation of the LRFG Limits and Fees

The LRFG program has three limits. The current program limit is \$100,000,000. The current operator limit is \$3,000,000. The current permit limit is 50% of the required bond amount on the mining permit.

The program limit of \$100,000,000 is based on the \$10,000,000 LRFG account surplus and a 10% bond forfeiture rate.

Based on the historical forfeiture data for all coal permits, including those with LRFGs, the highest forfeiture rate over a 3-year period is 1.87% and the highest annual forfeiture rate is 2.95%. The 10% bond forfeiture rate built into the LRFG program limit would cover 3 years at the highest prior annual forfeiture rate for all coal permits. With the concentration of risk and possibility of shock losses, carrying surplus as a percent of the underwritten amount would enable the program to handle more adverse loss scenarios. Recommended surplus requirements are discussed in the Summary of Results section below.

With the concentration of the program risk, underwriting additional risks with highly correlated forfeiture risk would not decrease the risk of surplus exhaustion to the degree of adding additional risks whose chance of forfeiture is independent of the current risks. Adding additional correlated risks could increase the risk of surplus exhaustion.

The operator limit is the aggregate amount of LRFGs on permits issued to a single operator. The current operator limit is \$3,000,000 and is based on 30% of the \$10,000,000 LRFG account surplus.

The top 10 operators have active LRFG amounts totaling \$26,385,267. The total active LRFG amounts is approximately \$48,000,000. Having forfeitures from multiple operators in a year is not uncommon. If the forfeitures were large operators over multiple years, there would be a material impact on program surplus. The current operator limit controls the exposure from operator specific risks. We recommend not increasing the operator limit and having a surplus requirement based on the largest operator LRFG amounts. Recommended surplus requirements are discussed in the Summary of Results section below.

The permit limit is the maximum LRFG amount at a mining site. The permit limit ensures the operator could provide at least 50% of the bond without the LRFG. This requires a satisfactory underwriting result for a bond or the finances to post collateral or self-bond. As availability and pricing of performance bonds fluctuates in the commercial market or a systemic impact develops there can be a material shift in demand for LRFG's from the higher risk operators leading to adverse selection. We recommend keeping the current permit limit purchased for current LRFG's (only increasing current LRFG's in proportion to increases in the total required bond amount) and using a 30% permit limit for new operators or new sites requesting LRFG's. The limits would help control adverse selection by limiting growth in the total LRFG amounts during a spike in demand from high risk operators.

The current annual fee for the mining operator is 1.5% of the LRFG amount. With the risk of adverse selection, the premium charge of 1.5% should be evaluated relative to the market premium charged for the surety bonds. This should include an (re)evaluation of the required bond amounts relative to the future reclamation costs.

Recommendations

Ombudsman Committee responsible to investigate items listed below:

1. Incorporate economic development into Environmental Justice policy
2. Ensure accurate and current data in PennEnvironScreen mapping
3. Reform Environmental Justice Advisory Board representation as required in By-Laws.
4. Establish reasonable permitting timelines.
5. Ensure policies operate within statutory boundaries.
6. Eliminate the DEP's Anthracite Mine Safety Division and allow MSHA to take over that responsibility in it's entirety.
7. Work together with the four jurisdictional agencies that are involved with PNDI approvals to recommend acceptable solutions for various issues.
8. Review DEP's implementation of regulations and use the results when having DEP budget hearings.
9. Review how other states handle DEP matters which would include but limited to permitting, bonding, mine safety and inspection staff.