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# Three groups re-issue right-to-know request

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Three environmental groups have re-issued a request under the state's right-to-know law seeking release of a study conducted to determine the cause of damage to the Duke Lake dam at Ryerson Station State Park.

The Center for Coalfield Justice, Citizens Coal Council and Mountain Watershed Association first requested release of the study last summer.

The request came shortly after the state Department of Conservation and Natural Resources revealed it had funded the \$1.2 million study to establish what caused the dam to crack.

The study, completed by Gannett Fleming Inc., includes ground monitoring data and analyzes the cause of problems effecting the dam.

DCNR declined the groups' first request, claiming ongoing negotiations with Consol Energy Inc. required the study be kept secret, the groups said in a release issued Monday.

On Feb. 1, DCNR filed a lawsuit against Consol claiming the company's mining activities were responsible for damage to the dam. DCNR, in its suit, seeks more than \$58 million in damages, the estimated cost of a new dam, related construction and lost use of the lake.

"Arguments in the lawsuit are clearly based on the study. It can no longer be kept secret, and the citizens of Greene County need to know what it says," said Phil Coleman, interim

executive director of the Center for Coalfield Justice.

"We are sure that the study will demonstrate not only what went wrong at Duke Lake, but also what is wrong with the way Pennsylvania is permitting longwall mines," he said.

DCNR officials said following the filing of the lawsuit that the department still would not release the study because of its relationship to the suit.

The environmental groups have questioned the method the state uses to determine where subsidence damage will occur above a mine.

The state Department of Environmental Protection had determined the dam was outside the area above the mine that is expected to be affected by subsidence.

If it is determined mining was the cause of the damage, it could affect the rights of homeowners and others who are also supposedly too far away from the mine to experience subsidence damage, the groups maintain.

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