

What Is A Pre-Blast Survey?

A pre-blast survey creates a record on paper and video of what your home is like before any strip mine blasting. It documents the condition of your house, water supply and other buildings on your land. It is meant to protect you and the coal company. If there is any new damage to your property once the blasting has started, having a record of its pre-blast condition may help you prove the cause of the damage.

In a pre-blast survey, someone from a coal company will come to check your home, your well and any other buildings on your land. They should come before they do any blasting for surface mining.

You have to ask for the Pre-Blast Survey!

You Have a Right to A Pre-Blast Survey if:

- ✓ your home is within 1/2 mile of a new surface (strip) mine,
- ✓ you own other buildings within 1/2 mile of a new surface mine,
- ✓ you live within 1/2 mile of places that are used by a deep mine (like where miners keep their things! Where coal is stored! Where trucks come to pick up coal!)

The company must tell you if it is going to blast within 1/2 mile of your home. The law says they must notify you by letter with information on how to ask for the survey. The company must notify you before any blasting is done. They do not always do this! You may see in the newspaper that the company is going to blast. You may hear it from a friend. Even if you did not get a letter about the blasting, you can ask for the survey if you live within 1/2 mile of the blasting area. Ask for the survey. It is your right!

You must write a letter requesting the survey. Keep a copy of your letter. Send the letter asking for the survey to:

Kentucky Division of Mining Reclamation & Enforcement
#2, Hudson Hollow Road
Frankfort, Ky. 40602
502-564-2340

You can also send a copy of the letter to the coal company. Be sure to send your letter(s) by certified mail, which will cost you a little more. Let the Post Office you want Certified Mail with Delivery Confirmation. A card will be sent back to you when the state or coal company gets the letter. Save this card! You may also track delivery online at: <https://tools.usps.com>. Do this, or check back with the post office, if you haven't gotten delivery confirmation within 7-10 days.

When Do I Ask for a Pre-Blast Survey?

The company must tell you (notify you by letter) at least 30 days before it will be blasting near your home, and publish a notice in the local paper (look under Legal Notices in the classified section). Ask for a survey right away! By law you need to do so within 20 days. If you do, the company must do the survey before blasting starts (if you ask after 20 days, it will still do your survey, but can begin blasting before they do it.) You want your survey done before blasting begins. That way, no damage will be done before you have a record.

How Is The Survey Done?

The coal company will send someone to walk around your land and house with you. You have a right to go with them and tell them what you want put in the report.

Show them all about your house, the doors, walls, windows and foundation (base). They will write down any cracks or damage they see. **Be sure they also write down all places that have NO damage.** Like this:

doors and windows have no cracks
doors and window open and shut well
foundation (base) of house has no cracks

Tell the person about your water. Show that the water at your sink is clear. Show that your drinking water is good. Show them how much water is in your well, if you have one. Ask them to run tests on the quality and quantity your water. Be sure they write all this down.

They may tell you that they do not have to check the water. This is not true. If they will not look at or check your water, you can do it on your own (see “What If They Do Not Write What You Want” below). If there is no record, you cannot prove that blasting caused any damage.

What Happens After The Survey?

You will be asked to sign the written report. They must send it right away to the state Natural Resources Cabinet, and provide you with a copy. Be sure they give you one – it is your right! Keep it in a safe place.

What If They Do Not Write What You Want?

You have a right to write down other things. You may think the survey left out things about your land. Make your own list. If they did not check your well, get it tested. If they did not write that your walls had no cracks, take pictures. You can show that there are no cracks in the wall.

Write down any things you think were left out. You can ask a friend to help you make a list and take pictures. Do it as soon as you can! Send a copy of the list and pictures to the Kentucky DMRE Division of Permits (#2 Hudson Hollow Road, Frankfort, Kentucky 40601)

Be sure to keep a copy of what you wrote, and of the pictures. The state may make the company do the survey again. If not, you will still have a good record. You will have pictures of your home before the blasting. Keep them in a safe place.

What If There Is Blasting Damage?

You may see cracks in your house. The water in your well may change. If you see any damage, act right away! Call the State Division of Mining, Reclamation and Enforcement (502-564-2320) and ask them to come look at the damage. Be sure to write a complaint in order to create the paper trail. Also, be sure to ask the DMRE for a copy of its findings.

Call the U.S. Office of Surface Mining (606-233-7327). Ask them to come look at the damage. You will need to follow up with a letter. If rocks fall on your land, damage your home, or if your house is shaking badly, tell them you are IN DANGER! Ask them to come right away.

