

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2113 Session of
1991

INTRODUCED BY BIRMELIN, LEE, CHADWICK, CARLSON, S. H. SMITH,
GEIST, FAIRCHILD, NOYE, TELEK, PESCI, STABACK, JOHNSON AND
VROON, NOVEMBER 12, 1991

REFERRED TO COMMITTEE ON CONSERVATION, NOVEMBER 12, 1991

AN ACT

1 Amending the act of June 22, 1937 (P.L.1987, No.394), entitled,
2 as amended, "An act to preserve and improve the purity of the
3 waters of the Commonwealth for the protection of public
4 health, animal and aquatic life, and for industrial
5 consumption, and recreation; empowering and directing the
6 creation of indebtedness or the issuing of non-debt revenue
7 bonds by political subdivisions to provide works to abate
8 pollution; providing protection of water supply and water
9 quality; providing for the jurisdiction of courts in the
10 enforcement thereof; providing additional remedies for
11 abating pollution of waters; imposing certain penalties;
12 repealing certain acts; regulating discharges of sewage and
13 industrial wastes; regulating the operation of mines and
14 regulating the impact of mining upon water quality, supply
15 and quantity; placing responsibilities upon landowners and
16 land occupiers and to maintain primary jurisdiction over
17 surface coal mining in Pennsylvania," exempting from permits
18 and fees persons who mine a certain quantity of flagstone.

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 Section 1. Section 1 of the act of June 22, 1937 (P.L.1987,
22 No.394), known as The Clean Streams Law, is amended by adding a
23 definition to read:

24 Section 1. Definitions.--Be it enacted, &c., That the
25 following words or phrases, unless the context clearly indicates

1 otherwise, shall have the meanings ascribed to them in this
2 section.

3 * * *

4 "Flagstone" shall be construed to mean a hard sandstone,
5 usually micaceous and fine-grained, that occurs in extensive
6 thin beds with shale partings.

7 * * *

8 Section 2. Section 6 of the act, amended October 10, 1980
9 (P.L.894, No.157), is amended to read:

10 Section 6. Application and Permit Fees.--(a) The department
11 is hereby authorized to charge and collect from persons and
12 municipalities in accordance with its rules and regulations
13 reasonable filing fees for applications filed and for permits
14 issued.

15 (b) This section shall not apply to persons who mine one
16 thousand tons or less of flagstone per year.

17 Section 3. This act shall take effect in 60 days.