

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1197 Session of  
2010

INTRODUCED BY D. WHITE, M. WHITE, MUSTO, WAUGH, WARD, EARLL AND  
ALLOWAY, JANUARY 19, 2010

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JANUARY 19, 2010

AN ACT

1 Amending the act of September 24, 1968 (P.L.1040, No.318),  
2 entitled, as amended, "An act providing for the protection of  
3 the safety, health and welfare of the people, property and  
4 public roads and highways of the Commonwealth from conditions  
5 on coal refuse disposal areas, or parts thereof, which fail  
6 to comply with the established rules, regulations or quality  
7 standards adopted to avoid air or water pollution or to  
8 protect water supplies, and from the danger of slipping,  
9 sliding or burning of coal refuse disposal areas, or parts  
10 thereof, sometimes caused by the storage of coal refuse;  
11 prescribing for and regulating the operation of coal refuse  
12 disposal areas, and parts thereof; prescribing the powers of  
13 the Department of Environmental Resources with respect  
14 thereto; providing for the power to enjoin the operation of  
15 coal refuse disposal areas, or parts thereof, which contain  
16 certain conditions; providing for civil and criminal  
17 penalties; authorizing the acquisition by condemnation of  
18 certain land areas in certain cases; establishing a permit  
19 system, authorizing the adoption of rules and regulations,  
20 establishing minimum standards ; requiring bonds and for the  
21 maintenance of primary jurisdiction over surface coal mining  
22 in Pennsylvania; providing incentives for coal refuse  
23 disposal activities on previously affected areas; and  
24 providing for coal refuse disposal research," further  
25 providing for fees.

26 The General Assembly of the Commonwealth of Pennsylvania  
27 hereby enacts as follows:

28 Section 1. Section 5(b) of the act of September 24, 1968  
29 (P.L.1040, No.318), known as the Coal Refuse Disposal Control

1 Act, amended October 10, 1980 (P.L.807, No.154), is amended to  
2 read:

3 Section 5. Applications.--\* \* \*

4 (b) The department is authorized to charge and collect from  
5 persons and municipalities in accordance with rules and  
6 regulations reasonable fees for applications filed and for  
7 permits issued. Such fees may be adjusted from time to time by  
8 regulations promulgated by the Environmental Quality Board.

9 \* \* \*

10 Section 2. This act shall take effect immediately.