

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1002

Session of
1985

INTRODUCED BY BROUJOS AND NOYE, APRIL 17, 1985

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
APRIL 30, 1985

AN ACT

1 Amending the act of December 19, 1984 (P.L.1093, No.219),
2 entitled "An act relating to noncoal surface mining
3 conservation and reclamation," authorizing ~~an exemption~~ <—
4 ADDITIONAL EXEMPTIONS from the definition of "surface <—
5 mining."

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The definition of "surface mining" in section 3
9 of the act of December 19, 1984 (P.L.1093, No.219), known as the
10 Noncoal Surface Mining Conservation and Reclamation Act, is
11 amended by adding ~~a paragraph~~ PARAGRAPHS to read: <—

12 Section 3. Definitions.

13 The following words and phrases when used in this act shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 * * *

17 "Surface mining." The extraction of minerals from the earth,
18 from waste or stockpiles or from pits or from banks by removing

1 the strata or material that overlies or is above or between them
2 or otherwise exposing and retrieving them from the surface,
3 including, but not limited to, strip mining, auger mining,
4 dredging, quarrying and leaching and all surface activity
5 connected with surface or underground mining, including, but not
6 limited to, exploration, site preparation, entry, tunnel, drift,
7 slope, shaft and borehole drilling and construction and
8 activities related thereto; but it does not include those mining
9 operations carried out beneath the surface by means of shafts,
10 tunnels or other underground mine openings. The term does not
11 include any of the following:

12 * * *

13 (5) The extraction, handling, processing or storing of
14 minerals from any BUILDING construction excavation ON THE <—
15 SITE OF THE CONSTRUCTION where the minerals removed are
16 incidental to the BUILDING construction excavation, <—
17 regardless of the commercial value of the minerals.

18 (6) THE RECOVERY BY A STEEL COMPANY OF STEEL, PIG IRON <—
19 OR OTHER MATERIALS ORIGINALLY DEPOSITED BY SUCH STEEL COMPANY
20 ON PROPERTY OWNED OR LEASED BY SUCH STEEL COMPANY. FOR
21 PURPOSES OF THIS PARAGRAPH, THE TERM "STEEL COMPANY" SHALL
22 INCLUDE A SUBSIDIARY, AN AGENT OR AN ASSIGNEE OF SUCH STEEL
23 COMPANY.

24 * * *

25 Section 2. This act shall take effect immediately.