

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1196 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 April 27, 1966 (1st Sp.Sess., P.L.31, No.1),
2 entitled, as amended, "An act to protect the public health,
3 welfare and safety by regulating the mining of bituminous
4 coal; declaring the existence of a public interest in the
5 support of surface structures; providing a remedy for the
6 restoration or replacement of water supplies affected by
7 underground mining; providing a remedy for the restoration or
8 replacement or compensation for surface structures damaged by
9 underground mining; providing standards for the prevention of
10 hazards to human safety and material damage to certain
11 structures; requiring permits, and in certain circumstances
12 bonds, for the mining of bituminous coal; providing for the
13 filing of maps or plans with recorders of deeds; providing
14 for the giving of notice of mining operations to political
15 subdivisions and surface landowners of record; requiring mine
16 inspectors to accompany municipal officers and their agents
17 on inspection trips; granting powers to public officers and
18 affected property owners to enforce the act; requiring
19 grantors to certify as to whether any structures on the lands
20 conveyed are entitled to support from the underlying coal and
21 grantees to sign an admission of a warning of the possible
22 lack of any such right of support; requiring grantors to
23 provide notice of the existence of voluntary agreements for
24 the restoration or replacement of water supplies or for the
25 repair or compensation for structural damage; imposing duties
26 on the Department of Environmental Resources for the
27 compilation and analysis of data; and imposing liability for
28 violation of the act," further providing for fees.

29 The General Assembly of the Commonwealth of Pennsylvania
30 hereby enacts as follows:

31 Section 1. Section 5(h) of the act of April 27, 1966 (1st

1 Sp.Sess., P.L.31, No.1), known as The Bituminous Mine Subsidence
2 and Land Conservation Act, amended October 10, 1980 (P.L.874,
3 No.156), is amended to read:

4 Section 5. Permit; application; map or plan; bond or other
5 security; filing; general rulemaking authority; prevention of
6 damage; mine stability; maintenance of use and value of lands.--

7 * * *

8 (h) The department is authorized to charge and collect from
9 persons in accordance with rules and regulations reasonable
10 filing fees for applications filed. Such fees may be adjusted
11 from time to time by regulations promulgated by the
12 Environmental Quality Board.

13 Section 2. This act shall take effect immediately.