
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1557 Session of
2019

INTRODUCED BY GABLER, BERNSTINE, BOROWICZ, BURNS, CAUSER,
DUNBAR, IRVIN, KAIL, METCALFE, METZGAR, MOUL, O'NEAL,
ORTITAY, PYLE, ROAE, SANKEY, SNYDER, STRUZZI AND FRITZ,
JUNE 4, 2019

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
JUNE 4, 2019

AN ACT

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

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

28 Section 1. Section 6.1(i) of the act of September 24, 1968

1 (P.L.1040, No.318), known as the Coal Refuse Disposal Control
2 Act, is amended to read:

3 Section 6.1. Designating Areas Unsuitable for Coal Refuse
4 Disposal.--* * *

5 (i) All new coal refuse disposal areas shall include a
6 system to prevent adverse impacts to surface and ground water
7 and to prevent precipitation from contacting the coal refuse.
8 The system for preventing precipitation from contacting the coal
9 refuse shall be installed, as phases of the coal refuse disposal
10 area reach capacity, as specified in the permit, when the
11 operator temporarily ceases operation of the coal refuse
12 disposal area [for a period in excess of ninety days unless the
13 department, for reasons of a labor strike or business necessity,
14 approves a longer period that shall not exceed one year] or when
15 the operator permanently ceases operation of the coal refuse
16 disposal area. The system shall allow for revegetation and the
17 prevention of erosion. For the purposes of this act and the
18 policies, rules and regulations and standards adopted pursuant
19 to this act, the requirements pertaining to temporary cessation
20 of coal refuse disposal areas shall be in conformance with
21 regulations and standards adopted by the Office of Surface
22 Mining Reclamation and Enforcement pursuant to Federal law,
23 namely the Surface Mining Control and Reclamation Act of 1977.

24 Section 2. This act shall take effect in 60 days.