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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**  
**No. 1002** Session of  
1985

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INTRODUCED BY BROUJOS AND NOYE, APRIL 22, 1985

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REFERRED TO COMMITTEE ON MINES AND ENERGY MANAGEMENT,  
APRIL 22, 1985

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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 from  
4 the definition of "surface mining."

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

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

11 Section 3. Definitions.

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

15 \* \* \*

16 "Surface mining." The extraction of minerals from the earth,  
17 from waste or stockpiles or from pits or from banks by removing  
18 the strata or material that overlies or is above or between them

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

11 \* \* \*

12 (5) The extraction, handling, processing or storing of  
13 minerals from any construction excavation where the minerals  
14 are solely a waste product from the construction excavation,  
15 regardless of the commercial value of the minerals.

16 \* \* \*

17 Section 2. This act shall take effect immediately.