

RELATING TO COAL STRIPPING
Act of Jun. 18, 1941, P.L. 133, No. 71
AN ACT

CL. 52

Relating to coal stripping operations; providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines; requiring certain information and reports, and prescribing penalties.

Compiler's Note: Section 16(a)(2) of Act 147 of 1971 provided that Act 71 is repealed insofar as it is inconsistent with Act 147.

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

Section 1. For the purpose of this act a coal stripping operation shall mean any operation in which the earth and rock cover over-lying a coal vein are removed by mechanical means or by hand for the purpose of recovering, mining or removing coal thereunder.

Section 2. This act shall apply to every coal stripping operation in the Commonwealth of Pennsylvania. The Department of Mines and Mineral Industries shall have exclusive jurisdiction over all coal stripping operations in this Commonwealth. Any mine inspector directed by the Department of Mines and Mineral Industries shall have the right to enter upon and inspect all such stripping operations for the purpose of determining the conditions of safety.

(2 amended Sept. 23, 1959, P.L.958, No.393)

Section 3. Each operator of a coal stripping operation shall furnish the mine inspector in whose district the operation is located a map or plan on a scale of one hundred (100) feet to the inch showing the location of said operation with respect to the land lines of adjoining properties, a monthly report of coal produced, number of employees and days worked, and also reports of all fatal and nonfatal accidents. An annual report shall be furnished to the Secretary of Mines on forms provided for that purpose not later than the fifteenth day of January each year for the preceding year.

Section 4. All coal stripping operations coming within the provisions of this act shall be conducted in compliance with such reasonable rules and regulations as may be deemed necessary by the Secretary of Mines for the health and safety of those persons engaged in such work. The Secretary of Mines through the mine inspectors shall have the authority and power to enforce the provisions of this act and the rules and regulations promulgated thereunder by him.

Section 5. Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and, upon conviction, be sentenced to pay for each day of operation which shall constitute a separate offense a fine not to exceed

two hundred dollars (\$200) and costs, or be imprisoned in the county jail for a period not to exceed three (3) months, or both, at the discretion of the court.

(5 amended Sept. 23, 1959, P.L.957, No.392)

Section 6. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 7. The provisions of this act shall be severable, and if any of its provisions shall be held to be unconstitutional the decision of the court as to those provisions shall not affect the validity of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provision or provisions not been included herein.

Section 8. The provisions of this act shall become effective immediately upon final enactment.