

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1333 Session of
2017

INTRODUCED BY GABLER, BERNSTINE, BLOOM, DOWLING, DUSH, GILLEN,
A. HARRIS, HELM, JAMES, MASSER, METZGAR, MILLARD, PETRARCA,
PICKETT, PYLE, RYAN, SANKEY, SNYDER, TALLMAN, WARD, WHEELAND
AND ZIMMERMAN, MAY 5, 2017

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
MAY 5, 2017

AN ACT

1 Amending the act of May 31, 1945 (P.L.1198, No.418), entitled,
2 as amended, "An act providing for the conservation and
3 improvement of land affected in connection with surface
4 mining; regulating such mining; providing for the
5 establishment of an Emergency Bond Fund for anthracite deep
6 mine operators; and providing penalties," further providing
7 for mining permit, reclamation plan and bond.

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

10 Section 1. Section 4 heading of the act of May 31, 1945
11 (P.L.1198, No.418), known as the Surface Mining Conservation and
12 Reclamation Act, is amended and the section is amended by adding
13 a subsection to read:

14 Section 4. Mining Permit; Reclamation Plan; Bond; Temporary
15 Cessation of Operation.--* * *

16 (k) (1) Before temporary cessation of operation for a
17 period of thirty (30) days or more, an operator shall submit to
18 the department a notice of intention to temporarily cease
19 operation. The notice shall include a statement of the exact

1 number of acres affected in the permit area, the extent and kind
2 of reclamation of the areas and identification of the
3 backfilling, regrading, vegetation, monitoring and water
4 treatment activities which will continue during the temporary
5 cessation.

6 (2) Temporary cessation of operations does not relieve the
7 operator of the obligations to comply with this act, the
8 implementing regulations or the approved permit.

9 (3) Temporary cessation of operations shall terminate under
10 any of the following conditions:

11 (i) upon the resumption of coal extraction;

12 (ii) for failure of the operator to submit an application
13 for permit renewal within at least one hundred eighty (180) days
14 before expiration of the existing permit; or

15 (iii) for the operator's failure to comply with this act,
16 the implementing regulations or the approved permit.

17 (4) Operations under temporary cessation shall be
18 effectively secured.

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