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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2219 Session of  
2020

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INTRODUCED BY JAMES, BROOKS, CAUSER, DUNBAR, HEFFLEY, JONES,  
MILLARD, MOUL AND ZIMMERMAN, JANUARY 15, 2020

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
JANUARY 15, 2020

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AN ACT

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

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

10 Section 1. Section 18(g) 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 to read:

13 Section 18. Surface Mining Conservation and Reclamation  
14 Fund; Remining Environmental Enhancement Fund; Remining  
15 Financial Assurance Fund; Department Authority for Awarding of  
16 Grants.--\* \* \*

17 (g) There is hereby created a Mining and Reclamation  
18 Advisory Board to assist the secretary to expend the funds for  
19 the purposes provided by this act and to advise the secretary on  
20 all matters pertaining to mining and reclamation which shall

1 include, but not be limited to, experimental practices,  
2 alternate methods of backfilling, selection of reclamation  
3 projects, alternate reclamation methods, obligations for  
4 preexisting pollution liability, alteration of reclamation  
5 plans, reclamation fees and bonding rates and methods.

6 (1) The board shall be comprised of three (3) coal  
7 operators, two (2) of whom shall be licensed bituminous surface  
8 mine operators and one (1) of whom shall be a licensed  
9 anthracite surface mine operator; one member who shall be an  
10 operator or employee of a coal refuse energy and reclamation  
11 facility; four (4) public members from the Citizens Advisory  
12 Council, who shall be appointed by the council; two (2) members,  
13 one (1) from the Anthracite and Bituminous Licensed Professional  
14 Engineers and one (1) from the County Conservation Districts,  
15 who shall be appointed by the State Conservation District  
16 Commission; four (4) members of the General Assembly, two (2)  
17 from the Senate, one (1) member from the majority party and one  
18 (1) member from the minority party, who shall be appointed by  
19 the President pro tempore, and two (2) from the House of  
20 Representatives, one (1) from the majority party and one (1)  
21 from the minority party, who shall be appointed by the Speaker  
22 of the House of Representatives.

23 (2) The secretary shall chair the Mining and Reclamation  
24 Advisory Board and appoint the members from the coal industry,  
25 the coal refuse energy and reclamation industry and the member  
26 from the Anthracite and Bituminous Licensed Professional  
27 Engineers.

28 (3) All members shall be appointed for a term of two (2)  
29 years, except that one-half of the initial members shall serve  
30 for three (3) years.

1       (4) All actions of the board shall be by majority vote. The  
2 board shall meet upon the call of the secretary, but not less  
3 than quarterly, to carry out its duties under this act. The  
4 board shall select from among its members a chairperson and such  
5 other officers as it deems appropriate.

6       (5) The board shall prepare an annual report on its  
7 activities and submit the report to the Senate Environmental  
8 Resources and Energy Committee and the House Conservation  
9 Committee.

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