
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 763 Session of
2019

INTRODUCED BY BARTOLOTTA, STEFANO AND LANGERHOLC, JUNE 14, 2019

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JUNE 14, 2019

AN ACT

1 Amending the act of April 27, 1966 (1st Sp.Sess., P.L.31, No.1),
2 entitled "An act to protect the public health, welfare and
3 safety by regulating the mining of bituminous coal; declaring
4 the existence of a public interest in the support of surface
5 structures; providing a remedy for the restoration or
6 replacement of water supplies affected by underground mining;
7 providing a remedy for the restoration or replacement or
8 compensation for surface structures damaged by underground
9 mining; providing standards for the prevention of hazards to
10 human safety and material damage to certain structures;
11 requiring permits, and in certain circumstances bonds, for
12 the mining of bituminous coal; providing for the filing of
13 maps or plans with recorders of deeds; providing for the
14 giving of notice of mining operations to political
15 subdivisions and surface landowners of record; requiring mine
16 inspectors to accompany municipal officers and their agents
17 on inspection trips; granting powers to public officers and
18 affected property owners to enforce the act; requiring
19 grantors to certify as to whether any structures on the lands
20 conveyed are entitled to support from the underlying coal and
21 grantees to sign an admission of a warning of the possible
22 lack of any such right of support; requiring grantors to
23 provide notice of the existence of voluntary agreements for
24 the restoration or replacement of water supplies or for the
25 repair or compensation for structural damage; imposing duties
26 on the Department of Environmental Resources for the
27 compilation and analysis of data; and imposing liability for
28 violation of the act," further providing for compilation and
29 analysis of data.

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

32 Section 1. Section 18.1 of the act of April 27, 1966 (1st

1 Sp.Sess., P.L.31, No.1), known as The Bituminous Mine Subsidence
2 and Land Conservation Act, is amended to read:

3 Section 18.1. Compilation and analysis of data.--(a) The
4 department shall compile, on an ongoing basis, the information
5 contained in deep mine permit applications, in monitoring
6 reports and other data submitted by operators, from enforcement
7 actions and from any other appropriate source for the purposes
8 set forth below.

9 (b) Such data shall be analyzed by the department,
10 [utilizing] which may utilize the services of professionals or
11 institutions recognized in the field, provided there is a cost
12 benefit in doing so, for the purpose of determining, to the
13 extent possible, [the effects of deep mining on subsidence of
14 surface structures and features and on water resources,
15 including sources of public and private water supplies]
16 compliance with the requirements of this act.

17 (c) The analysis of such data and any relevant findings
18 [shall] may be presented in report form to the Governor[, the
19 General Assembly and to the Citizens Advisory Council of the
20 department at five-year intervals commencing in 1993.] and the
21 Environmental Resources and Energy Committee of the Senate and
22 the Environmental Resources and Energy Committee of the House of
23 Representatives every five years commencing in 2025.

24 (d) Nothing contained herein shall be construed as
25 authorizing the department to require a mine operator to submit
26 additional information or data, except that it shall require
27 reporting of all water loss incidents or claims of water loss.

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