
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 668 Session of
2021

INTRODUCED BY JAMES, BROOKS, CAUSER, COOK, IRVIN, LONGIETTI,
MILLARD, PISCIOTTANO, SAINATO, SANKEY, SCHWEYER, STRUZZI,
WHEELAND AND ZIMMERMAN, FEBRUARY 26, 2021

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
FEBRUARY 26, 2021

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

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

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

23 (i) Three (3) coal operators, two (2) of whom shall be
24 licensed bituminous surface mine operators and one (1) of whom
25 shall be a licensed anthracite surface mine operator.

26 (ii) Four (4) public members from the Citizens Advisory
27 Council, who shall be appointed by the council.

28 (iii) Two (2) members, one (1) from the Anthracite and
29 Bituminous Licensed Professional Engineers and one (1) from the
30 County Conservation Districts, who shall be appointed by the

1 State Conservation District Commission.

2 (iv) Four (4) members of the General Assembly, two (2) from
3 the Senate, one (1) member from the majority party and one (1)
4 member from the minority party, who shall be appointed by the
5 President pro tempore of the Senate, and two (2) from the House
6 of Representatives, one (1) from the majority party and one (1)
7 from the minority party, who shall be appointed by the Speaker
8 of the House of Representatives.

9 (v) If a coal refuse energy and reclamation facility is
10 operating within this Commonwealth, an additional one (1) member
11 shall be an operator or employe of the coal refuse energy and
12 reclamation facility.

13 (2) The secretary shall chair the [Mining and Reclamation
14 Advisory Board] board and appoint the members from the coal
15 industry, the coal refuse energy and reclamation industry and
16 the member from the Anthracite and Bituminous Licensed
17 Professional Engineers.

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

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

26 (5) The board shall prepare an annual report on its
27 activities and submit the report to the Senate Environmental
28 Resources and Energy Committee and the House Conservation
29 Committee.

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