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By: **Delegate Edwards**

Introduced and read first time: February 8, 1999

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Mining Operations - Extraction of Coal Incidental to Other Minerals**

3 FOR the purpose of altering certain definitions of certain mining activities to exclude  
4 the incidental extraction of coal at a level below a specified threshold; making  
5 stylistic changes; and generally relating to the regulation of incidental coal  
6 production in combination with the mining of other minerals.

7 BY repealing and reenacting, with amendments,  
8 Article - Environment  
9 Section 15-501(n)  
10 Annotated Code of Maryland  
11 (1996 Replacement Volume and 1998 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Environment**

15 15-501.

16 (n) (1) "Open-pit mining", "strip mining", and "surface coal mining" are  
17 terms used interchangeably in this subtitle to mean the mining or recovery of  
18 bituminous coal by removing the strata or material which overlies or is above the coal  
19 deposit or seam in its natural condition, or any other recovery of coal by methods  
20 other than deep-mining, and land affected by such activities.

21 (2) [It includes] THESE TERMS INCLUDE methods such as contour, strip,  
22 auger, mountain top removal, box cut, open-pit, and area mining, the use of  
23 explosives and blasting, and in situ distillation or retorting, leaching or other  
24 chemical or physical processing, and the cleaning, concentrating, or other processing  
25 or preparation, loading of coal at or near the mine site.

26 (3) "OPEN-PIT MINING", "STRIP MINING", OR "SURFACE COAL MINING"  
27 DO NOT INCLUDE THE INCIDENTAL EXTRACTION OF COAL AT A LEVEL THAT DOES  
28 NOT EXCEED WITHIN ANY CALENDAR YEAR 16 2/3 PERCENT OF THE TOTAL

1 CUMULATIVE PRODUCTION OF COAL AND OTHER MINERALS REMOVED FROM A  
2 MINING AREA FOR PURPOSES OF BONA FIDE SALE OR REASONABLE COMMERCIAL  
3 USE.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 July 1, 1999.