



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

October 30, 2014

Dear Aggregate Surface Mining Operators:

Act 137 of 2014, which was signed into law by Governor Corbett on September 24, 2014, amended the Commonwealth's Surface Mining Conservation and Reclamation Act to establish the Aggregate Advisory Board (Board). The Board will advise the Department of Environmental Protection (DEP) on all matters pertaining to surface mining as it is defined under the Noncoal Surface Mining Conservation and Reclamation Act. The Board will be comprised of the Secretary of the Department of Environmental Protection, three aggregate surface mining members, four members of the Citizens Advisory Council, one member from the County Conservation Districts, and four members of the General Assembly. Act 137 takes effect 60 days after it was signed.

Act 137 designates the Secretary of DEP as Chairman of the Board and charges the Secretary with appointing the Board's three aggregate surface mining members. Consequently, I am writing to solicit a minimum of three nominees for appointment to the Board and their designee. Members should be willing to serve for a minimum of two years. Information regarding nominees should be forwarded by mail or electronically to Daniel E. Snowden of DEP's Bureau of Mining Programs by November 20, 2014, and should include a resume showing the appointee's full name, title, affiliation, address, e-mail, and telephone number. Mr. Snowden's contact information is included below.

Daniel E. Snowden
Bureau of Mining Programs
Rachel Carson State Office Building
P.O. Box 8461
Harrisburg, PA 17105-8461
dsnowden@pa.gov

Thank you in advance for your cooperation. DEP looks forward to collaborating with the new Aggregate Advisory Board on issues important to the noncoal mining industry. If you have any questions, please contact Thomas Callaghan, Director, Bureau of Mining Programs by e-mail at tcallaghan@pa.gov or by telephone at 717.787.5015.

Sincerely,

Dana Aunkst
Acting Secretary

Enclosure: Act 137 of 2014

SURFACE MINING CONSERVATION AND RECLAMATION ACT - AGGREGATE
ADVISORY BOARD

Act of Sep. 24, 2014, P.L. , No. 137

Cl. 52

Session of 2014

No. 2014-137

SB 1155

AN ACT

Amending the act of May 31, 1945 (P.L.1198, No.418), entitled, as amended, "An act providing for the conservation and improvement of land affected in connection with surface mining; regulating such mining; providing for the establishment of an Emergency Bond Fund for anthracite deep mine operators; and providing penalties," establishing the Aggregate Advisory Board.

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

Section 1. Section 18 of the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, is amended by adding a subsection to read:

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

(g.1) There is hereby created an Aggregate Advisory Board to assist the secretary to expend the funds for the purposes provided by section 17 of the act of December 19, 1984 (P.L.1093, No.219), known as the "Noncoal Surface Mining Conservation and Reclamation Act," and to advise the secretary on all matters pertaining to surface mining, as defined in section 3 of the "Noncoal Surface Mining Conservation and Reclamation Act," which shall include, but not be limited to, experimental practices, alternate methods of backfilling, obligations for preexisting pollution liability, alteration of reclamation plans, reclamation fees and bonding rates and methods. The board shall function as follows:

(1) The board shall be comprised of the secretary; three (3) aggregate surface mining operators; four (4) public members from the Citizens Advisory Council, who shall be appointed by the council; one (1) member from the County Conservation Districts, who shall be appointed by the State Conservation Commission; and four (4) members of the General Assembly, two (2) from the Senate, one (1) member from the majority party and one (1) member from the minority party, who shall be appointed by the President pro tempore, and two (2) from the House of Representatives, one (1) member from the majority party and one (1) member from the minority party, who shall be appointed by the Speaker of the House of Representatives.

(2) The secretary shall chair the board and appoint the members from the aggregate industry.

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

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

(5) The board shall prepare an annual report on its activities and submit the report to the Environmental Resources and Energy Committee of the Senate and the Environmental Resources and Energy Committee of the House of Representatives.

* * *

Section 2. This act shall take effect in 60 days.
APPROVED--The 24th day of September, A.D. 2014.

TOM CORBETT