

ing," be and they are hereby repealed, and that new Sections 657 through 674, inclusive, be and they are hereby enacted in lieu thereof, to stand in the place of the sections so repealed, all to read as follows:

657. *Purpose of Subheading.*

*This subheading shall be deemed to be an exercise of the police powers of the State for the general welfare of the people of the State, by providing for the protection and conservation of the natural resources of the State and the improvement of areas of land affected in the mining of bituminous coal by the open pit, strip mining, or auger mining method; to aid thereby in the protection of wild-life and to restore these lands to productive purposes; to decrease soil erosion, to aid in the prevention of the pollution of rivers and streams, to prevent combustion of unmined coal, to provide for reclamation of the stripped areas, and generally to improve the use and enjoyment of these lands.*

658. *Definitions.*

*The following words and phrases, unless a different meaning is plainly required by the context, have the following meanings:*

(a) *"Open Pit Mining or Strip Mining" means the mining or recovery of bituminous coal by removing the strata or material which overlies or is above the coal deposit or seam in its natural condition. For purposes of this act auger mining shall be deemed an integral part of open pit mining and subject to the provisions of this subheading.*

(b) *"Pit" means the place bituminous coal is being mined by the open pit mining method.*

(c) *"Operation" means the pit or pits located upon a single tract of land or a continuous pit embracing or extending upon two or more contiguous tracts of land.*

(d) *"Land" means the surface of the land upon which open pit mining is conducted.*

(e) *"Tract" means a single parcel of land or two or more contiguous parcels of land with common ownership.*

(f) *"Person" means any individual, firm, corporation, partnership, or other entity.*

(g) *"Operator" means a person engaged in open pit mining, as a principal as distinguished from an agent or independent contractor.*

(h) *"Landowner" means the person in whom the legal title to the land is vested.*

(i) *"Overburden" means the strata or material overlying a bituminous coal deposit in its natural state and means such material before or after its removal by open pit mining.*

(j) *"Spoil Pile" means the overburden and reject coal as it is piled or deposited in open pit mining.*

(k) *"Land Affected" means the land from which the overburden is removed and that occupied by the spoil.*