

THEN SUITABLE FOR COMMERCIAL, INDUSTRIAL, OR CONSTRUCTION USE. ]]

(2) "SURFACE MINING" DOES NOT MEAN ANY OF THE FOLLOWING:

(I) THOSE ASPECTS OF DEEP MINING WHICH DO NOT HAVE A SIGNIFICANT EFFECT ON THE SURFACE, IF THE AFFECTED LAND DOES NOT EXCEED [[ONE ACRE]] THREE ACRES IN AREA;

(II) OPERATIONS ENGAGED IN PROCESSING MINERALS [[WHICH HAVE BEEN MINED ELSEWHERE AND WHOSE REFUSE AND STOCKPILES DO NOT AFFECT MORE THAN ONE ACRE OF LAND]];

(III) EXCAVATION OR GRADING CONDUCTED SOLELY IN AID OF ON-SITE FARMING OR ON-SITE CONSTRUCTION FOR PURPOSES OTHER THAN MINING;

(IV) REMOVAL OF OVERBURDEN AND MINING OF LIMITED AMOUNTS OF ANY MINERAL WHEN DONE ONLY FOR THE PURPOSE OF PROSPECTING AND TO THE EXTENT NECESSARY TO DETERMINE THE LOCATION, QUANTITY, OR QUALITY OF ANY NATURAL DEPOSIT, IF NO MINERALS ARE SOLD, PROCESSED FOR SALE, OR CONSUMED IN THE REGULAR OPERATION OF A BUSINESS;

(V) THE HANDLING, PROCESSING, OR STORAGE OF SLAG AND STONE ON THE PREMISES OF A MANUFACTURER AS A PART OF THE MANUFACTURING PROCESS WHICH REQUIRES STONE AS A RAW MATERIAL [[AND]] OR PRODUCES SLAG AS A BYPRODUCT;

(VI) THE EXTRACTION OF MINERALS, BY A LANDOWNER FOR HIS OWN NON-COMMERCIAL USE FROM LAND OWNED OR LEASED BY HIM;

(VII) MINING OPERATIONS IF THE AFFECTED LAND DOES NOT EXCEED ONE ACRE IN AREA;

(VIII) THE EXTRACTION OF SAND, GRAVEL, ROCK, STONE, EARTH, OR FILL FROM BORROW PITS FOR HIGHWAY CONSTRUCTION PURPOSES, IF THE WORK IS PERFORMED UNDER A BOND, CONTRACT, AND SPECIFICATIONS WHICH PROVIDE FOR AND REQUIRE RECLAMATION OF THE AREA AFFECTED IN THE MANNER PROVIDED BY THIS SUBTITLE; OR

(IX) DREDGING FROM SUBMERGED PUBLIC OR PRIVATE LANDS IN THE STATE IF THIS ACTIVITY IS CONDUCTED UNDER A LICENSE FROM THE STATE BOARD OF PUBLIC WORKS OR BY PERMIT FROM THE DEPARTMENT, AS PROVIDED FOR IN TITLE 9 OF THIS ARTICLE.

(U) "TRACT" MEANS A SINGLE PARCEL OF LAND OR TWO OR