

[(f)] (E) "Deep mining" means any method of extracting coal from the subsurface, except open-pit mining and auger mining, and includes methods such as drift mining, shaft mining, and inclined slope mining.

[(g)] (F) "Degree" means the angle of slope from the horizontal.

(G) "DEPARTMENT" MEANS THE DEPARTMENT OF NATURAL RESOURCES.

[(h)] "Final report" or "final reclamation report" means the mining and reclamation final report.]

(H) "FEDERAL APPROVAL OF THE STATE PROGRAM" MEANS APPROVAL BY THE FEDERAL GOVERNMENT PURSUANT TO THE FEDERAL SURFACE MINING AND RECLAMATION ACT OF 1977 (P.L. 95-87).

(I) "IMMINENT DANGER TO THE HEALTH AND SAFETY OF THE PUBLIC" MEANS THE EXISTENCE OF A CONDITION WHICH IS REASONABLY EXPECTED TO CAUSE SUBSTANTIAL PHYSICAL HARM TO PERSONS OUTSIDE THE PERMIT AREA. A REASONABLE EXPECTATION OF HARM EXISTS IF A RATIONAL PERSON WOULD NOT SUBJECT HIMSELF TO THE DANGER.

[(i)] (J) "Land" means the surface of the land on which open-pit mining is conducted.

[(j)] (K) "Land affected" means land from which the overburden is removed, land occupied by spoil or haul roads, or land associated with or affected by strip mining.

[(k)] (L) "Landowner" means person in whom the legal title to the land is vested.

[(l)] (M) "Net project construction cost" means the part of the project construction cost paid from the revolving account equal to the project construction cost less the cash contribution of the owner of the benefited property on completion of construction.

[(m)] (N) "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. It includes auger mining.

[(n)] "Operation" means any pit located on a single tract of land or a continuous pit embracing or extending upon two or more contiguous tracts of land.]

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

(p) "Orphaned land" means land on which open-pit mining was conducted before June 1, 1967 and which has not been reclaimed.