

of any kind, or any partnership, firm, association, public or private corporation, or any other entity.

(p) "Pit" means the place any minerals are being mined by the surface mining method.

(q) "Pre-law surface mine" means a noncoal surface mine which was mined and unreclaimed prior to January 1, 1977.

(r) "Reclamation" means the reasonable rehabilitation of the affected land for useful purposes and the protection of the natural resources of the surrounding area including ponds.

(s) "Refuse" means all waste soil, rock, mineral, scrap, tailings, slimes, and other materials directly connected with the mining, cleaning, and preparation of substances mined and includes all waste materials deposited on or in the permit area from other sources.

(t) "Spoil pile" means the overburden and reject materials as piled or deposited in surface mining.

(u) [(1)] "Surface mining" means all of the following:

[(i)] (1) The breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals;

[(ii)] (2) Any activity or process constituting all or part of a process for the extraction or removal of minerals from their original location; [and] OR

[(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 three acres in area;

(ii) Operations engaged in processing minerals;

(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 or produces slag as a by-product;