

VIRGINIA ACTS OF ASSEMBLY -- 1996 SESSION

CHAPTER 410

An Act to amend and reenact § 45.1-243 of the Code of Virginia, relating to suspension of mining under schools.

[H 713]

Approved March 31, 1996

Be it enacted by the General Assembly of Virginia:

1. That § 45.1-243 of the Code of Virginia is amended and reenacted as follows:

§ 45.1-243. Surface effects of underground coal mining operations.

A. The Director shall promulgate regulations directed toward the surface effects of underground coal mining operations embodying the requirements of §§ 516 and 720 (a) (1) of the federal act. The provisions of this chapter relating to permits, bonds, inspections and enforcement, public review, and administrative and judicial review shall be applicable to surface operations and surface impacts incident to an underground coal mine with such modifications to the permit application requirements, permit approval or denial procedures, and bond requirements as are necessary to accommodate the distinct difference between surface and underground coal mining. Nothing in § 720 (a) (1) of the federal act shall be construed to prohibit or interrupt underground coal mining operations.

B. In order to protect the stability of the land, the Director shall suspend underground coal mining under *elementary and secondary schools, colleges, universities*, urbanized areas, cities, towns and communities, and adjacent to industrial or commercial buildings, major impoundments, or permanent streams if he finds imminent danger to the inhabitants *or occupants* of the *elementary and secondary schools, colleges, universities*, urbanized areas, cities, towns and communities.