

SENATE BILL 2591

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 59, Chapter 8, Part 3 and Title 59, Chapter 8, Part 4, relative to coal surface mining.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 59-8-354, is amended by designating the existing language as subsection (a) and by adding the following new subsections:

(b) In addition to all other requirements for granting a permit in accordance with this part, the department shall require the applicant to demonstrate that best management practices have been followed in mine site preparation for a minimum of five (5) years prior to the date of application for the surface mining permit on the area proposed to be mined for coal.

(c) The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act, including but not limited to the establishment of criteria to determine whether a permit shall be granted based upon the information submitted by the applicant as required in subsection (b). All such rules and regulations shall be promulgated in accordance with Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5.

SECTION 2. Tennessee Code Annotated, Section 59-8-410, is amended by adding the following as a new, appropriately designated subdivision:

() The applicant has demonstrated that best management practices have been followed in mine site preparation for a minimum of five (5) years prior to the date of application for the surface mining permit on the area proposed to be mined for coal.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.