

## Substantive Provisions of the bill

Under no circumstance shall the Commissioner issue or renew a permit, certification or variance that would allow:

- (1) Surface coal operation, or resulting waste, fill or in-stream treatment within one hundred feet (100') of any waters of the state; provided, however, that a permit, certification, or variance may be issued or renewed for operations to improve the quality of streams previously disturbed by mining; or
  
- (2) Surface coal mining operation to alter or disturb any ridge line that is above two thousand feet (2,000') elevation above sea level, such elevation being determined using the most current edition of the United States forest service' publication, Ecological Subregions of the United State. This subsection does not prohibit any otherwise allowable surface coal mining above two thousand feet (2,000') elevation above sea level that does not alter or disturb a ridgeline.