

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART III. COAL AND CLAY MINE SUBSIDENCE INSURANCE BOARD

CHAPTER 401. MINE SUBSIDENCE FUND

GENERAL PROVISIONS

§ 401.1 DEFINITIONS

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

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**AGENT— EMPLOYEES OF THE DEPARTMENT WHO WORK ON BEHALF OF THE BOARD.**

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*Mine subsidence*—[The lateral or vertical subsidence of the earth resulting from past or present underground coal or clay mining operations.] **The movement of the ground's surface as a result of the partial or complete cave-in or the collapse of underground coal or clay mine workings.**

**Mine workings— The roof, floor, or pillars within an underground coal or clay mine.**

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INSURANCE POLICIES

§ 401.13. Coverage limits and premiums for insurance.

(a) The maximum amount of insurance for a single covered structure [is \$150,000 for a residential structure and \$250,000 for a commercial structure or the current market value of the structure, whichever is less], **the term or duration of the policy, and the premium rate shall be determined by the Board.**

(b) [The premium charged on a policy, for an amount of coverage which is less than 70% of the current market value of the covered structure, shall, by resolution of the Board, be subject to a surcharge

based upon the difference between the amount of available insurance purchased and the current market value of the structure.

(c) The premium charged on a policy shall, by resolution of the Board, be subject to additional surcharges of up to 25%, in accordance with the degree of risk, for each of the following conditions:

(1) The location of the covered structure in an area subject to subsidence from active mining.

(2) The location of the covered structure in an area scheduled for underground flushing operations.

(3) The location of the covered structure in an area having a high risk of subsidence damage.

(4) The covered structure having a history of subsidence damage.

(d) An insurance policy [will not be] is effective [until] [when] UPON THE DATE a complete application is received by the Board or its agent[s and] PROVIDED the premium [has been] associated with that application is received [and the maximum term for all insurance policies will be 1 year, unless otherwise specified by a Board resolution and disclosed to the policyholders] by the Board or its agent[s] WITHIN THE NEXT 80 DAYS AND PROVIDED THAT THE APPLICANT AND STRUCTURE MEET THE ELIGIBILITY REQUIREMENTS SET FORTH IN THE ACT AND IN 25 PA. CODE § 401.11 (RELATING TO ELIGIBILITY FOR INSURANCE).

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