

TITLE 62: MINING
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

PART 1777
GENERAL CONTENT REQUIREMENTS FOR PERMIT APPLICATIONS

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AUTHORITY: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act [225 ILCS 720].

SOURCE: Adopted at 11 Ill. Reg. 8069, effective July 1, 1987; amended at 17 Ill. Reg. 10943, effective July 1, 1993; recodified from the Department of Mines and Minerals to the Department of Natural Resources at 22 Ill. Reg. 7712; amended at 26 Ill. Reg. 4215, effective March 6, 2002.

Section 1777.1 Scope

Part 1777 provides minimum requirements concerning the general content for permit applications under the State program.

Section 1777.11 Format and Contents

- a) An application shall:
 - 1) Contain current information, as required by 62 Ill. Adm. Code 1772 through 1785;
 - 2) Be clear and concise; and
 - 3) Be filed in the format required by the Illinois Department of Natural Resources (Department).

- b) If used in the application, referenced materials shall be provided to the Department by the applicant. Relevant portions of referenced published materials shall be presented briefly and concisely in the application by photocopying or abstracting and with explicit citations.

- c) Applications for permits; revisions; renewals; or transfers, sales or assignments of permit rights shall be verified under oath, by a responsible official of the applicant, that the information contained in the application is true and correct to the best of the official's information and belief.

Section 1777.13 Reporting of Technical Data

- a) All technical data submitted in the application shall be accompanied by the names of persons or organizations that collected and analyzed the data, dates of the collection and analysis of the data, and descriptions of methodology used to collect and analyze the data.
- b) Technical analyses shall be planned by or under the direction of a professional qualified in the subject to be analyzed.

Section 1777.14 Maps and Plans: General Requirements

- a) Maps submitted with applications shall be presented in a consolidated format, to the extent possible, and shall include all the types of information that are set forth on topographic maps of the U.S. Geological Survey of the 1:24,000 scale series. Maps of the permit area shall be at a scale of 1:6,000 or larger. Maps of the permit area and adjacent area shall clearly show the lands and waters within those areas and be in a scale determined by the Department, but in no event smaller than 1:24,000.
- b) All maps and plans submitted with the application shall distinguish among each of the phases during which surface coal mining operations were or will be conducted at any place within the life of operations. At a minimum, distinctions shall be clearly shown among those portions of the life of operations in which surface coal mining operations occurred:
 - 1) Prior to August 3, 1977;
 - 2) After August 3, 1977, and prior to May 3, 1978;
 - 3) After May 3, 1978, and prior to February 1, 1983;
 - 4) After the estimated date of issuance of a permanent program permit by the Department.

Section 1777.15 Completeness

An application for a permit to conduct surface coal mining and reclamation operations shall be complete and shall include at a minimum:

- a) For surface mining activities, the information required under 62 Ill. Adm. Code 1778, 1779, and 1780, and as applicable to the operation, 62 Ill. Adm. Code 1785; and
- b) For underground mining activities, the information required under 62 Ill. Adm. Code 1778, 1783, and 1784, and as applicable to the operation, 62 Ill. Adm. Code 1785.

Section 1777.17 Permit Fees

- a) After a permit application under 62 Ill. Adm. Code 1772 through 1785 has been deemed approvable, but before a permit is issued in accordance with 62 Ill. Adm. Code 1773.19, the Department shall notify the applicant in writing of the amount of fee required for the permit.
- b) Permit fees are payable at the time of permit issuance and on the anniversary date of the permit. Those permits for which fees are not received within 30 days after the anniversary date are subject to the provisions of 62 Ill. Adm. Code 1840 through 1845.
- c) Permit fees are payable as a lump sum or in equal annual increments for the permit term and shall be determined as follows:
 - 1) The permit fee for areas to be surface mined is \$125 per bonded acre;
 - 2) For all other areas within the permit area, for both surface and underground mines, the fee will be \$5 per acre for each year the bond is in force.
- d) If permit fees are submitted within 180 days after the date of the Department's written findings approving a permit application, such fees may be paid in accordance with subsection (c). Permit fees which are not submitted within 180 days after the date of the Department's written findings approving a permit application shall be paid as a lump sum.
- e) Failure to submit permit fees within 1 year after notification of the required fee amount shall result in the application being deemed null and void. The Department may issue an extension to this time limit if the applicant can

demonstrate just cause (e.g., extended periods of illness, extreme inclement weather, acts of civil unrest, or other emergency situations) for doing so.

(Source: Amended at 26 Ill. Reg. 4215, effective March 6, 2002)