

**TITLE 62: MINING**  
**CHAPTER I: DEPARTMENT OF MINES AND MINERALS**  
**PART 1810**  
**PERMANENT PROGRAM PERFORMANCE STANDARDS**  
**GENERAL PROVISIONS**

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AUTHORITY: Implementing and authorized by Sections 1.01 et seq. of the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1981, ch. 96 1/2, pars. 7901.01 et seq.).

SOURCE: Adopted at 4 Ill. Reg. 37, p. 1, effective June 1, 1982; codified at 8 Ill. Reg. 5206.

**Section 1810.1      Scope**

62 Ill. Adm. Code 1810 through 1828 of these regulations set forth the minimum performance standards and design requirements to be adopted and implemented under a regulatory program for coal exploration and surface coal mining and reclamation operations.

**Section 1810.2      Objective**

The objective of 62 Ill. Adm. Code 1810 through 1828 is to ensure that coal exploration and surface coal mining and reclamation operations are conducted in manners which are compatible with the environmental, social, and esthetic needs of the Nation. Accordingly, the performance standards and design requirements in 62 Ill. Adm. Code 1810 through 1828 will provide for:

- a) Protection of the health, safety, and general welfare of mine workers and the public;
- b) Maximum use and conservation of the solid fuel resource being recovered so that re-affecting the land through future surface coal mining operations can be minimized;
- c) Prompt reclamation of all affected areas to conditions that are capable of supporting the premining land uses or higher or better land uses;
- d) Reclamation of land affected by surface coal mining operations as contemporaneously as practicable with mining operations;

- e) Minimizing, to the extent possible using the best technology currently available, disturbances and adverse impacts on fish, wildlife, and other related environmental values, and enhancement of such resources where practicable;
- f) Revegetation which achieves a prompt vegetative cover and recovery of productivity levels compatible with approved land uses;
- g) Minimum disturbances to the prevailing hydrologic balance at the mine-site and in associated off-site areas, and to the quality and quantity of water in surface and ground water systems;
- h) Protection of fragile and historic lands where surface coal mining operations could result in significant damage to important historic, cultural, scientific, or esthetic values, and natural systems;
- i) Confinement of surface coal mining and reclamation operations including, but not limited to, the location of spoil disposal areas to lands within the permit area;
- j) Striking a balance between protection of the environment and agricultural productivity and the Nation's need for coal as an essential source of energy; and
- k) Protection of endangered and threatened species and their critical habitats as determined by the Endangered Species Act of 1973 (16 U.S.C. 1531, et seq.).

#### **Section 1810.4      Responsibility**

- a) The Department shall ensure that performance standards and design requirements at least as stringent as the standards in 62 Ill. Adm. Code 1810 through 1828 are implemented and enforced under the State program.
- b) Each person conducting coal exploration or surface coal mining and reclamation operations is responsible for complying with performance standards and design requirements which are at least as stringent as the standards in 62 Ill. Adm. Code 1810 through 1828 and the regulatory program.

#### **Section 1810.11      Applicability**

62 Ill. Adm. Code 1815 applies to all coal exploration conducted under regulatory programs. 62 Ill. Adm. Code 1816 applies to all surface mining activities conducted under regulatory programs. 62 Ill. Adm. Code 1817 applies to all underground mining activities conducted under regulatory programs. 62 Ill. Adm. Code 1818 through 1828 apply to certain special categories of surface coal mining and reclamation operations. 62 Ill. Adm. Code 1816 and 1817 apply to each of those special categories of operations, except to the extent that a provision of 62 Ill. Adm.

Code 1818 through 1828 specifically exempts a particular category from a particular requirement of 62 Ill. Adm. Code 1816 or 1817.