

**State of Illinois
Department of Natural Resources
Office of Mines and Minerals
Land Reclamation Division
One Natural Resources Way
Springfield, IL 62702-1271**

APPLICATION FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS
INCIDENTAL BOUNDARY REVISION IBR-1

PART I

DATE: _____

NOTICE : This state agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under Ill. Rev. Stat. 1987 Ch. 96 1/2, par. 7901.01 et seq. Disclosure of this information is voluntary, however failure to comply may result in this form not being processed. This form has been approved by the Forms Management Center.

1) A) General Information

(I)(We)(The) _____
(Name of Company, Corporation, Partnership or Individual)

(Address) (Telephone Number)

hereby submit application for an Incidental Boundary Revision to Permit _____

Name of Mine _____.

MSHA No. _____

I, _____ under penalty
(Vice President or his duly authorized representative under the existing permit)

of perjury declare that all information provided in this application is true and correct to the best of my knowledge.

Title

ADDITIONAL ACRES REQUESTED _____ EXISTING PERMIT ACREAGE _____

(I) (We) _____
(Individual or Individuals)

under penalty of perjury declare on behalf of the applicant, _____,
that said applicant has valid documents which bestow upon the applicant a legal right to enter
and commence surface coal mining and reclamation operations upon lands contained in the
proposed IBR area, and such legal right is not in any way the subject of pending court litigation.

Dated this _____ day of _____, _____.

Signature /Title

ENGINEERING CERTIFICATION

I hereby certify the engineering design used in preparation of this application, attachments, and supplements was done by me or under my direct supervision.

I further certify to the best of my knowledge all such design is in accordance with all applicable local, state and federal laws, rules and regulations. I have placed an "X" in the box below if that item is relevant.

Whereas the Reclamation Plan calls for an alternative land use, I also certify the plans to conform to applicable accepted standards for adequate land stability, drainage, vegetative cover, and aesthetic design appropriate for the post-mining use of the site.

Whereas the operation proposes disposal of spoil or waste materials in areas other than mining workings or excavations, I also certify such fills are designed in accordance with recognized professional standards and all applicable laws.

Certification of Illinois Environmental Protection Agency-35 Ill. Adm. Code 405.104(a) Permit. In my professional judgment, the plans and specifications submitted as part of this application describe an operation which will meet all applicable effluent and water quality standards. I certify that I am familiar with all of the plans, specifications, reports, and maps submitted as part of this application and that said plans, etc. are accurate insofar as they represent existing conditions.

Name Illinois Registration Number (Seal)

Firm Phone Number

Address

Signature Date

B) Indicate the type of disturbance and associated acreage.

Type of Disturbance	Existing Permit	IBR	Total
Area Stripping	_____	_____	_____
Mine Waste Areas	_____	_____	_____
Processing Areas & Support Facilities	_____	_____	_____
Access, Haul Roads & Transport Facilities	_____	_____	_____
Soil Storage Areas	_____	_____	_____
Diversions	_____	_____	_____
Coal Recovery (Gob & Slurry)	_____	_____	_____
Other	_____	_____	_____
Not to be Disturbed	_____	_____	_____

2) A) Provide name and address of every legal or equitable owner of record of the IBR area.

B) Provide name and address of the owner of record for all surface and subsurface areas contiguous to any part of the proposed IBR area.

C) Show location of owners of record of those lands, both surface and subsurface, included in or contiguous to the IBR area on premining land use map or another map, if necessary.

3) Provide name and address of any holder of record of leasehold interest for the IBR area.

4) Affidavits, Certifications

A) Complete affidavit regarding applicant's legal right to enter and begin surface coal mining and reclamation operations in the IBR area and whether that right is the subject of pending litigation. Identify the documents upon which affidavit is based by type and date of execution and identify specific lands to which each document pertains and explain the legal rights claimed by the applicant (1778.15(a)). If the private mineral estate to be mined has been severed from the private surface estate, provide copies of the documents required under Section 1778.15(B)(1)-(3). On the permit map or other designated map show the boundaries of land within the permit area upon which the applicant has the legal right to enter and begin surface mining activities.

B) Complete certification for engineering aspects of the application. In addition to the general certification, three specific certifications are included which are applicable only if the box in front of each is marked. The first two cover special permit requirements and should be marked only when they occur for the

proposed permit. The third certification covers the Illinois Environmental Protection Agency permit requirements. In most cases, an Illinois registered engineer will be required to certify IEPA permit requirements. Except as otherwise provided all maps, plans and cross-sections included in the permit application shall be prepared by, or under the direction of, and sealed by a qualified registered professional engineer licensed under the Illinois Professional Engineering Act, a qualified registered structural engineer licensed under the Illinois Structural Engineering Act or if authorized by state law, a qualified registered professional land surveyor licensed under the Illinois Land Surveyors Act with assistance from experts in related fields.

5) Areas Designated Unsuitable for Mining

A) Does proposed IBR area include --

(1) Lands within boundaries of the National Park System, National Wildlife Refuge System, National Recreation Areas, etc. [Section 1761.11(a)]?

Yes ____ No ____

(2) National forest land?

Yes ____ No ____

(3) Any land which will adversely affect any publicly-owned park or places included in or eligible for listing in the National Register of Historic places, etc. [per 62 Ill. Adm. Code 1761.11(a)(3) or Section 10, (B)(C) of the SCM-1?

Yes ____ No ____

If yes, complete Part II, Section 10, (B) & (C) of the SCM-1 or the UCM-1 Application.

(4) Any public roads which are to be removed, relocated or temporarily closed?

Yes ____ No ____.

Indicate on the pre-mining land use map or other designated map the location of the public roads and attach a copy of the written agreement from the appropriate authority authorizing the relocation, removal or temporary closure.

Describe the measures to be used to insure that the interest of the public and land owners affected will be protected.

B) Will proposed IBR area be located --

(1) Within 100 feet of the right-of-way line of any public road?

Yes ____ No ____

If yes, explain proposed procedure for complying with regulation section 1761.11(d), including request for variance, if relevant. Provide location of public roads on pre-mining land use map or other designated map. Describe the measures to be used to insure that the interest of the public and land owners affected will be protected.

(2) Within 300 feet measured horizontally from any occupied dwelling?

Yes ____ No ____

If so, is waiver provided meeting requirements of Section 1761.15?

(3) Within 300 feet measured horizontally of any public building, school, church, community or institutional building or public park?

Yes ____ No ____

(4) Within 100 feet measured horizontally of a cemetery?

Yes ____ No ____

C) Are valid existing rights (per 1761.11) claimed for any part of the IBR area?

Yes ____ No ____

If yes, provide documentation to substantiate claim.

D) Provide a draft copy of the proposed newspaper notice and name of local newspaper of general circulation in which advertisement of the application will be published, per 62 Ill. Adm. Code 1774.13(d)(6). Certification of publication is to be furnished to the Department and must be received prior to Department approval of the IBR.

PART II

PREMINING INFORMATION

Premining information is to be displayed on premining land use map unless otherwise indicated.

- 1) Describe how the IBR area perimeter will be marked and discuss the method or system employed to locate permit area perimeter and set markers along it. Designate a reference point outside the IBR area if different than the original permit. Provide a description of the reference point and a sketch relating the reference point to the IBR area perimeter.
- 2) Explain and locate areas where the IBR is contiguous to an existing permit.
- 3) Give the acreages of each land use within the proposed IBR and existing permit area, employing land use categories of Section 1701.5 listed below, and delineate on premining land use map existing land uses in the proposed permit area and adjacent to it. Include on the premining land use map the location of all buildings and identify the current use of these buildings.

Pre-Mine Land Use	Existing Permit	IBR	Total
Cropland	_____	___	_____
Pasture land	_____	___	_____
Grazing land	_____	___	_____
Forestry	_____	___	_____
Residential	_____	___	_____
Industrial/Commerical	_____	___	_____
Recreation	_____	___	_____
Fish and Wildlife Habitat	_____	___	_____
Developed Water Resources	_____	___	_____
Undeveloped land	_____	___	_____

4) Soils Information Map

A) Does the submitted soils map represent a map developed by the National Resources Conservation Service (NRCS)?

Yes ____ No ____.

If no, explain.

B) Delineate on the soils map(s) the area which will incur actual mining (removal of overburden and/or deposition of overburden for the extraction of coal).

C) Are any of the identified map units correlated as prime farmland by NRCS criteria?

Yes ____ No ____.

If yes, explain and provide documentation to meet the requirements of Section 1785.17, if a determination for grandfathering and/or negative determination is sought. If prime farmlands exist which will not meet the exemption criteria described above, the approved prime farmlands restoration plan must be followed.

D) Submit, by completing soils information chart, acreage totals of each map unit (soil type and slope classification) and land use capability classes in the IBR area and the percent slope range of each lettered slope classification used on the soil map.

E) Provide, by completing soil information chart, acreage for each of the map units of high capability land (including grandfathered and negatively determined prime farmland) and non-cropland capability land with respect to areas which will be mined and areas which will incur other forms of disturbance (i.e., roads, ditches, etc.). Identify and provide map unit acreage values, if any, for areas which will not be disturbed.

F) Are selected overburden materials proposed to be used in lieu of or as a supplement to the A-horizon?

Yes ____ No ____.

If yes, provide the appropriate information required under 1780.18(b)(4)/1784.13(b)(4).

PART III

OPERATIONS PLAN

1) Explain the proposed operation and why the IBR is needed. Locate on a mining operations map.

2) Surface Drainage Control

A) 1) Locate on the mining operations map or on a separate drainage map all proposed drainage control systems. Show drainage patterns of all affected mining areas.

2) Will all surface drainage from the affected mining area be collected and treated prior to leaving the IBR area?

Yes ____ No ____.

If yes, delineate how and where surface drainage will be collected and treated, and list permit numbers and type of permit that the drainage control systems are operated under. If above answer is no, explain how regulatory compliance will be achieved without treatment, i.e., address the requirements of 1816.46(e)/1817.46(e).

B) Will all surface drainage from unaffected areas be intercepted and diverted around the affected mining area?

Yes ____ No ____.

If no, please discuss.

C) Overland Flow Diversions and Sediment Ponds:

Are either overland flow diversions or sediment ponds to be constructed?

Yes ____ No ____.

If yes, complete applicable parts of the SCM-1 or UCM-1 Part IV (surface drainage control).

D) Does a perennial or intermittent stream occur within the proposed IBR area?

Yes ____ No ____.

If yes, is an exception to the 100 foot buffer zone being requested or is a stream diversion being proposed. For an exception to the 100 foot buffer zone, indicate how compliance with 1816.57/1817.57 will be assured. For a stream diversion, complete applicable parts of the SCM-1 or UCM-1.

3) Roads and other activities:

A) Are roads to be constructed in the IBR area?

Yes ___ No ___.

If yes, complete the applicable part of the SCM-1 or UCM-1 (transportation facilities).

B) If the operations involve blasting, or any other activities not specifically addressed above, complete applicable parts of the SCM-1 or UCM-1.

4) Are any existing structures proposed for utilization in the IBR?

Yes ___ No ___.

If yes, complete Part IV.4 of the SCM-1 or UCM-1.

PART IV

RECLAMATION PLAN

- 1) Provide a reclamation plan map outlining proposed reclamation of the lands within the proposed IBR area and state how the IBR area will be reclaimed in conformity with the original plan.
- 2) Post Mining Land Use
 - A) Provide a detailed description of proposed post-mining land uses and capabilities employing land use and capability categories listed below. Provide acreage figures for each post-mining land use proposed for the existing permit, the IBR area and total permit after inclusion of the IBR acreage and designate the post-mining land uses on the Post Mining Land Use Map. Acreage figures for post-mining land use must differentiate between mined and surface disturbance areas based on the mining line used in the premining section of the application.

Use	Land	Capability								
		Existing Permit (ac)			IBR (ac)			Total (ac)		
		Prime	HCap	NonCrop	Prime	HCap	NonCrop	Prime	HCap	NonCrop
	Cropland									
	Pasture Land									
	Grazing Land									
	Forestry									
	Residential									
	Industrial/Commercial									
	Recreation									
	Fish & Wildlife Habitat (Herbacious)									
	Fish & Wildlife Habitat (Woody)									
	Fish & Wildlife Habitat (Wetland)									
	Developed Water Resources									
	Undeveloped Land									

Prime: Prime farmland
HCap: High Capability - meeting productivity requirements of 62 Ill. Adm. Code 1825.
NonCrop: Non-Cropland - All soils which do not qualify as prime farmland or high capability.

3) Are trees located within the proposed boundary area?

Yes ___ No ___.

If yes, then pursuant to Sections 1784.21 (a)(2)(A) and (C) and 1817.97 (b) the applicant shall:

- A) Provide a Protection and Enhancement Plan (PEP) and an Incidental Take (IT) authorization request to the Department for the Indiana bat meeting the specifications of the “Range-wide Indiana Bat Protection and Enhancement Plan Guidelines” (revised 2013) developed by the U.S. Fish and Wildlife Service and the Office of Surface Mining, or justify why no PEP and IT are required under those guidelines.
- B) Discuss whether or not the project is consistent with the Northern long-eared bat Final 4(d) Rule (January 2016), and if not then provide a PEP and IT authorization request to the Department consistent with the 2013 Indiana bat guidelines referenced above.