Illinois Department of
Natural Resources
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Pat Quinn, Governor
Marc Miller, Director

LAND RECLAMATION DIVISION

Memorandum No. 2012-03

To: All Coal Mine Operators/Consultants

From: Scott K. Fowler, Supervisor
Land Reclamation Division

Date: March 12, 2012

Re: Six Month Notification of Underground Mining – Addendum

This Memorandum is being issued in order to clarify language found in Operator Memorandum 2012-02, issued on February 10, 2012 concerning 62 Ill. Adm. Code 1817.122 Subsidence Control: Pubic Notice (Six Month Notification letters). The following five points are repeated from Operator Memorandum 2012-02 with the relevant changes.

1) **Identification of specific areas in which mining will take place.** The notice shall contain a legal description of the area to be mined, described to the quarter section and including the township and range. Instead of the legal description the notice may be accompanied by an underground mine plan map depicting the location of the owner's and occupant's property, superimposed over the area to be mined and indicating the year that mining is to occur. Multiple land tracts belonging to one particular landowner can be itemized in one letter if each tract is described with a corresponding window of mining detailed in no. 2 below.

2) **Dates that specific areas will be undermined.** The notice shall provide a window of one year in which the mining is expected to occur. For example, stating "between June 1, 2012 and May 30, 2013" or "no sooner than 6 months and no later than 18 months from the date of this letter" will meet the intent. If property the subject of the notice is not undermined during the defined time frame indicated in the notice, the owner and occupant must be re-notified. The re-notification will not trigger a need to request approval from the Department for a lesser time frame because the land owner would have been given the full 6 month advance notice via the previous notice.

3) **The type of mining to be employed.** The notice shall describe the underground mining method to be employed.

4) **A description of measures that will be taken to prevent subsidence and/or to mitigate subsidence damages which may occur.** The notice shall contain the required description.

5) **The location or locations where the operator's subsidence control plan may be examined.** The notice shall contain the required information. The notice shall at a minimum cite the appropriate county clerk's office and the IDNR offices in Springfield and/or Benton.

For notices previously sent more than twelve months in advance of projected mining that did not contain the required information as noted above, the owner or occupant shall be re-notified. The Department is not requiring re-notification of those land owners previously notified and scheduled to be undermined through September 31, 2012.

The operator shall maintain copies of all of the public notices mailed pursuant to this Section 1817.122 and shall make such copies available for inspection by authorized agents of the Department.