STATE OF ILLINOIS

DEPARTMENT OF MINES AND MINERALS

LAND RECLAMATION DIVISION

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LAND RECLAMATION DIVISION MEMORANDUM NO. 82-10

TO: All Coal Operators

FROM: Douglas Downing, Supervisor
Land Reclamation Division

RE: Permanent Program Rule 1823.14

DATE: August 2, 1982

The Department of Mines and Minerals Land Reclamation Division has recently amended Section 1823.14 of its permanent program Rules and Regulations. The rule was changed to make it clear that prime farmland fragipan soils are to have root media restored to a depth of 48 inches.

On July 1, 1982, the Department filed this rule with the Secretary of State, Rules Division as an emergency rule. All coal operators submitting permanent program permit applications to the Department should have reclamation plans written in accordance with amended Section 1823.14. If an operator has already filed a permanent program application with the Department that does not contain a reclamation plan which meets the requirements of the new 1823.14, then a modification should be filed with the Department in accordance with Section 1786.11 (e) of the permanent program Rules and Regulations.

A copy of the amended Section 1823.14 is attached.

DD:MJM:kc

Attachment

§1823.14 Prime farmland: Soil replacement.

EMERGENCY RULE

Surface coal mining and reclamation operations on prime farmland shall be conducted according to the following:

(a) (1) The minimum depth of soil and soil material to be reconstructed for prime farmland shall be 48 inches. The Department shall specify a depth greater than 48 inches, wherever necessary to restore productive capacity due to uniquely favorable soil horizons at greater depths.

(2) Subsection 1823.14(a)(1) and (d) shall not apply to prime farmland and fragipan soils. Prime farmland fragipan soil shall be reconstructed in accordance with Section 1825.14(a)(1), (a)(2), (a)(3) and (a)(5). For the purposes of this provision, prime farmland fragipan soils are specific soils classified as prime farmland that are underlain with a diagnostic subsurface horizon designated as a fragipan by the Soil Conservation Service of the U.S. Department of Agriculture according to the criteria set in Soil Taxonomy, U.S.D.A. Handbook AH 436, including the following soils found in Illinois: Ava, Grantsburg, and Hosmer series as defined by the Soil Interpretation Sheets of the Soil Conservation Service.

(b) Replace soil material only on land which has been first returned to final grade and scarified according to 1816.101 - 1816.105 or 1817.101 - 1817.105, unless site-specific evidence is provided and approved by the Department showing that scarification will not enhance the capability of the recommended soil to achieve equivalent or higher levels of yield.

(c) Replace the soil horizons or other suitable soil material in a manner that avoids excessive compaction.

(d) Replace the B horizon or other suitable material specified in Section 1823.12(a)(2) and (a)(3) to the thickness needed to meet the requirements of paragraph (a) of this Section.

(e) Replace the A horizon or other suitable soil materials specified in Section 1823.12(a)(1) as the final surface soil layer. This surface soil layer shall equal or exceed the thickness of the original soil, as determined in 1785.17(b)(1)(ii) and be replaced in a manner that protects the surface layer from wind and water erosion before it is seeded or planted.