ILLINOIS DEPARTMENT OF MINES AND MINERALS

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LAND RECLAMATION DIVISION MEMORANDUM NO. 89-10

TO: All Coal Mine Operators

FROM: Paul J. Ehret, Supervisor
Land Reclamation Division

DATE: July 7, 1989

62 Ill. Adm. Codes 1816.49(a)(9) and 1817.49(a)(9) indicate impoundments are to be inspected annually in a manner described in 1816.49(a)(9)(B) and 1817.49(a)(9)(B). The intent of these regulations are to protect the public and the environment from the failure of hazardous structures. The Department has therefore determined that certain non-hazardous structures may be requested for exemption from the annual inspection requirement on a case-by-case basis. In general, the following impoundments may be considered for exemption from the annual inspection only:

1. Wholly incised impoundments.

2. Water impoundments which impound water to an elevation less than 5 feet above the upstream toe of the structure and which can have a storage volume of not more than 20 acre/feet.

3. Impoundments which do not facilitate mining or reclamation.

Operators must request that specific impoundments be considered for an exemption. Exemption requests for MSHA structures, or requests which do not reference numbers, names or location descriptions will be rejected. Submittal of maps and plans is not required as the Department will reference the approved plans and post-construction certifications which are on file for each impoundment; however, maps may be submitted if necessary to clarify the request. Exemptions will only be granted from the annual inspection requirement. Quarterly examinations must continue to be performed as well as inspections during and upon completion of structures.

If you should have any questions, feel free to contact your inspector.