ILLINOIS DEPARTMENT OF MINES AND MINERALS
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LAND RECLAMATION DIVISION MEMORANDUM NO. 90-8

TO: All Surface and Underground Mine Coal Operators

DATE: September 4, 1990

FROM: Paul J. Ehret, Supervisor
Land Reclamation Division

SUBJECT: Permit Application Referencing

As set forth in 62 Ill. Adm. Code 1779.5, an applicant may comply with the requirements of Parts 1778, 1779, 1780, 1783 and 1784 by reliance upon accurate data already in the possession of the applicant or the Department through incorporating such data by reference into applications, provided that the incorporated data is made publicly available. Section 1773.13(a)(2) requires an applicant to make an application for a permit, significant revision, or permit renewal available for the public to inspect and copy by filing a full copy of the application with the clerk at the courthouse of the county where the mining is proposed to occur. Section 1773.13(d)(1) requires that all applications for permits; revisions; renewals; and transfers, assignments or sales of permit rights on file with the Department shall be available, at reasonable times, for public inspection and copying.

Based on the Department's interpretation of the above-stated regulations the Department is altering its permit application referencing procedures. The implementation of this procedure is made necessary by ever increasing manpower demands placed on the Department in part as the result of problems related to such referencing. These problems have led to ever increasing difficulties in permit reviews and delays in permit issuance. The Department strongly believes the implementation of this procedure will significantly improve efficiency and result in better service to the public and mining industry. This procedure outlined below shall be implemented for all identified submittals received by the Department beginning October 1, 1990.

1. The Department discourages the use of referencing in any application. However, if an applicant chooses to reference, the applicant shall provide one (1) full and complete (including the referenced material) copy of a permit application to each county clerk of the counties where the proposed permit area is located and two (2) full and

complete copies to the Land Reclamation Division's Springfield Office at the time application is made in order to meet the requirements of Sections 1779.5 and 1773.13.

2. References made to information contained in an operator's existing permits or another operation's permit, either Interim or Permanent Program, will not be accepted unless the requirements at point 1 above are met.

3. Repermitting will not be allowed unless the requirements of point 1 above are met.

4. Pursuant to Section 1777.11(b) references to published data will only be accepted if presented briefly and concisely in photocopying or abstracting and with explicit citations.

5. An applicant will not be required to provide copies of any referenced material when the Department requests the submittal of additional copies of the permit application.

The Division believes that the implementation of the above procedures will expedite the permit application review process. If you have any questions concerning these procedures, please contact the Division's Field Representative or this office.

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