ILLINOIS DEPARTMENT OF MINES AND MINERALS

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Director

PROTECTING OUR RESOURCES

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LAND RECLAMATION DIVISION MEMORANDUM 92-5

TO: All Surface and Underground Coal Mine Operators

FROM: Fred K. Bowman, Supervisor
Land Reclamation Division

DATE: April 27, 1992

RE: Incidental Boundary Revisions

Over the past few years the Department has noticed an increased dependence in the use of incidental boundary revisions (IBR) on the part of some operators. While the number of IBR's allowed is not expressly limited by regulation, overuse of this procedure could be viewed as an attempt to circumvent public participation requirements, allowing operators to "jump the gun" on pending permit applications and revisions, and in some instances could be viewed as a bail out mechanism and a substitute for proper advance planning. As such, I feel it is important to use IBR's judiciously.

While I realize that most IBR requests are fully legitimate, the concerns expressed above cannot be ignored as the integrity of our permitting processes should not come into question.

The Department will continue to process and approve legitimate requests for IBR's, in compliance with our regulations; however, potential patterns of abuse will be carefully monitored. Should a pattern of abuse be evident the Department will not hesitate to issue a denial letter. **Please be aware that under no circumstances should an operator plan their operations in a manner which relies upon IBR approvals as a matter of course.**

As always, operators are encouraged to discuss permitting plans with their field representative as far in advance as possible. This should certainly reduce or eliminate situations where possible patterns of abuse may develop.