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ILLINOIS
DEPARTMENT OF
NATURAL RESOURCES
Office of Mines and Minerals
524 South Second Street, Springfield 62701-1787 Jim Edgar, Governor ● Brent Manning, Director

Land Reclamation Division Memorandum No. 95-9

TO: All Coal Operators

DATE: November 20, 1995

FROM: Scott Schmitz, Supervisor
Land Reclamation Division

RE: Beneficial Use of Coal Combustion By-Product and Storage or Disposal of Coal Combustion Waste at Permitted Facilities - Correction

This memorandum is being issued in order to correct some language found in LRD Memorandum No. 95-8, issued on October 31, 1995 concerning the storage or disposal of coal combustion by-product and coal combustion waste.

Under the second bullet point on page 3 of the memo, it states that "The total amount of CCW a coal company is allowed to receive shall not exceed 35% of the company wide coal sales tabulated on an annual basis, but in no case shall the CCW received from a given CCW source exceed 35% of the coal sold to that source (emphasis added). The 35% limit shall apply unless the operator supplies appropriate information justifying a higher percentage."

It is not the Department's intent to set a 35% limit on each individual CCW source, but rather it is intended that the 35% limit apply to total annual company coal sales. As an example, if a company produces one million tons per year and sells the coal to two different coal customers, that company could take back as much as 350,000 tons of CCW in any combination from those customers. The Department will evaluate the total annual coal sales and compare this to the total amount of CCW brought back to the disposal site(s). As long as the total amount of CCW disposed does not exceed 35% of a company's total annual coal production, or a higher limit if approved by the Department, that company shall be deemed to be in compliance with the policy memo. As a point of clarification, total annual company sales is limited to sales from Illinois coal only. Production in other states shall not be counted.

Effective July 1, 1995, the Illinois Department of Natural Resources was created through the consolidation of the Illinois Department of Conservation, Department of Mines and Minerals, Abandoned Mined Lands Reclamation Council, the Department of Transportation's Division of Water Resources, and the Illinois State Museum and Scientific Surveys from the Illinois Department of Energy and Natural Resources.

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The last sentence of Point No. 2 under the third bullet point on page 3 of the memo, shall be deleted. While the quantity of CCW from each source shall be reported on a quarterly basis, the reporting of the amount of coal sales to each CCW source will not be required. Reporting of the total company wide coal sales for the quarter shall be required.

The additional monitoring requirements and percentage limitations imposed by Memorandum 95-8 as modified by this memorandum shall be effective January 1, 1996.

In order to simplify reporting and interpretation of monitoring results for those operators with disposal sites at more than one mine, it is recommended that the required monitoring information for all mines be submitted under a single cover letter.

If you have any questions concerning this policy, please do not hesitate to contact Don Wheeler of this office.