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

LAND RECLAMATION DIVISION
MEMORANDUM NO. 97-6

TO: All Coal Mine Operators

FROM: Donald J. Pflederer, Supervisor DJP
Land Reclamation Division

DATE: October 7, 1997

RE: Affected Acreage Report Time Extension

Due to the late receipt of the annual aerial photography, the Annual Affected Acreage report for FY'97 will be due October 31, 1997. If you have any questions, feel free to contact your field representative. The Department would also like to receive an electronic copy in DXF format of this year's map, if available.

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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Author: DON PFLEDERER at CON084P6
Date: 11/7/97 1:18 PM
Priority: Normal
TO: ERNIE ASHBY, DAN BARKLEY, RANDY DAVIS at CON028P2, TIM DEVARDO at CON028P2, RAY DRUHOT, BETTY HAYES, CLIFF HOLLOWAY at CON028P2, CLIFTON JOHNSON, CLAY KOLAR at CON028P2, MARC LAUZON at CON028P2, DAVID LONGO, DARIN MARTIN at CON028P2, CHUCK MEDVICK at CON028P2, ALAN MEYERS at CON028P2, ROGER MORGENSTERN at CON028P2, DALE NOLAN at CON028P2, BILL OLEARY at CON028P2, MIKE PARRISH, JIM SCHAFER, JACK SIMPSON, DEAN SPINDLER, PAUL TERPSTRA, STEVE THOMPSON at CON028P2, FRED WALDEN, DAN WHEELER, RICHARD WOODSIDE at CON028P2, ELLEN COTTRELL, MABEL CHAPMAN at CON028P2
Subject: Staff Meeting Minutes

Attached are the minutes from the LRD staff meeting held in Effingham.

October 15, 1997 Staff Meeting At Effingham, Illinois

On October 15, 1997, the Land Reclamation Division held a staff meeting in Effingham at the former Holiday Inn. In attendance were: Dean Spindler, Ernie Ashby, Dave Longo, Bill O'Leary, Randy Davis, Roger Morgenstern, Steve Thompson, Clifford Holloway, Jack Simpson, Clay Kolar, Marc Lauzon, Darin Martin, Tim DeVardo, Richard Woodside, Dale Nolan, Dan Barkley, Dan Wheeler, Ellen Cottrell And Don Pflederer.

RILL AND GULLY POLICY

The first item of discussion was our Rill & Gully Policy. Our policy has always been to set field deadlines for the repair of rills and gullies. If the deadline was not met, we would take enforcement action. On the other hand, OSM believes that certain rills and gullies warrant immediate enforcement action.

Discussions of rills & gullies followed. Dale Nolan pointed out that most rill & gully problems are found in areas containing down drains and water ways. Don Pflederer indicated that there were field deadlines set for the repair of rills and gullies that were not documented in inspection reports.

Since OSM has raised this as an issue and Don and Dean will be meeting with them in the near future to discuss our rill & gully policy, the following steps will be implemented concerning rills & gullies:

1. During the winter quarter (Jan, Feb, Mar) all sites are to be checked for erosion. This review shall be done both on the ground and through use of aerial photos. As a result of this review, needed deadlines shall be established for the repair of rills and gullies and shall be documented in the complete inspection report done for the quarter. Documentation shall include indicating the location of areas needing work on the most recent aerial photo. Other maps may be used if deemed appropriate.

2. If the occurrence of rills & gullies results in an off-site impact, the permittee shall be considered in violation and an NOV shall be issued even if no previous deadline had been established.

3. If the occurrence of rills & gullies results from a failure on the part of the permittee to make a diligent effort to revegetate the area, the permittee shall be considered in violation and an NOV shall be issued even if no previous deadline had been established.

DESIGN OF PONDS AND POST CONSTRUCTION CERTIFICATION

This appears to be more of a northern issue and the permittee in question shall be dealt with directly rather than through an operator memorandum.

Bill O'Leary pointed out that he needed a post-construction certification for wetlands prior to bond release if the structure used for wetland management had to be modified.

Dean Spindler indicated that some ponds that were originally approved as temporary ponds are sometimes proposed to be permanent. The pond design should be checked to see if the size, depth and design storm meet the requirements of a permanent pond. If not, the higher standards shall be provided and approved prior to any land use change.

REPORTING FOR ABANDONED MSHA PONDS

DeVardo pointed out that when an MSHA structure is eliminated from MSHA jurisdiction it may fall under our state regulations and would require that the operator examine this structure quarterly, and submit the 4th quarter report as a sealed examination. The requirements for an MSHA structure are different than for a non-MSHA structure. Tim DeVardo will be writing a memo concerning these ponds.

It was also pointed out that we must condition certain permit approvals concerning the need for joint MSHA approval and this should be contained in the approval letter.

Dean indicated that some structures may be under the jurisdiction of the Division of Water Resources. They have made a determination that as long as the contained refuse is saturated, the structure must remain under their permit.

COVERING VS. TREATING OF REFUSE AREAS

It was pointed out that there are some refuse sites which have been covered with 4' of soil/no lime and they are experiencing problems. The importance of liming prior to the covering of refuse areas was discussed. **Four feet of cover on an above grade coal refuse pile may not be adequate to prevent acid seeps.** The variance committee is to prepare a report relative to this issue and submit it to LRD management by the end of November. The report should contain recommendations as to how to proceed with this matter.

Clifford Holloway suggested that we request the submittal of lime tickets in order to document lime treatment (this was originally proposed by Tim DeVardo). It was suggested that liming be reported on the SCML-4. The refuse committee will take these suggestions into consideration.

TEMPORARY CESSATION

Does everyone have one that needs one? The staff will be surveyed as to the status of sites under "temporary cessation".

PRE-INTERIM BOND RELEASES

We should pursue the release of pre-interim sites. If permittees need assistance with documentation or map preparation we should consider providing that assistance.

DATA BASE

Dean Spindler urged us to respond to the inquiries concerning the update of our new record system.

IHPA PROBLEMS

Darin Martin pointed out that IHPA is now requiring phase I surveys to be on 5 meter grids rather than 15 meters. Also, there is the issue of surveys that have already been completed under the 15 meter criteria. We are planning to send an operator memorandum on this issue but Don Pflederer indicated that this is a problem between the operator and IHPA.