New subsection (d)(6) provides for public notice of and a ten-day comment period for incidental boundary revision applications which propose new surface acreage or planned subsidence shadow area to the original permit.

G. 62 IAC 1778.15—Right of Entry Information

At subsection (a), Illinois is proposing to eliminate the requirement for underground coal mining applications to contain a description of the documents upon which the applicant bases his or her legal right to enter and mine for underground mining areas (shadow areas), including the right to subside within the shadow area. Right of entry information would still be required for the permitted surface areas at underground mines.

At subsection (e), Illinois is proposing to add the phrase "including planned subsidence operations."

Illinois is proposing to add new subsection (f) to require applications for additions to the underground mining areas (shadow areas) to contain a notarized statement by a responsible official of the applicant attesting that all necessary mining rights, including the right to subside, if applicable, have been or will be obtained prior to mining.

H. 62 IAC 1779—Surface Mining Permit Applications—Minimum Requirements for Information on Environmental Resources

Illinois is proposing to revise the following sections of part 1779 for consistency with changes made to the Federal regulations at 30 CFR 779 on May 27, 1994 (59 FR 27932).

1. Section 1779.22—Land Use Information

Section 1779.22 pertains to surface mining permit application requirements for pre-mining land use information. Illinois is proposing to delete § 1779.22 and to reorganize the repealed provisions at subsection (a) into 62 IAC 1780.23(a).

2. Section 1779.25—Cross Sections, Maps and Plans

Subsections (a)(11) (A), (B), and (C) are proposed to be deleted. Subsection (a)(11)(D) is proposed to be deleted from this section and relocated to 62 IAC 1780.23(a)(3).

Statutory citations in subsection (b) are updated.

I. 62 IAC 1780.23—Reclamation Plan: Pre-Mining and Post-Mining Information

Illinois is revising this section for consistency with changes made to the Federal regulations at 30 CFR 780 on May 27, 1994 (59 FR 27932). The section title is changed from "Reclamation Plan: Post-mining Land Uses" to "Reclamation Plan: Pre-Mining and Post-Mining Information."

New subsections (a), (a)(1), and (a)(2) contain the pre-mining land use information provisions of existing 62 IAC 1779.22(a) with one addition. At new subsection (a)(1), one new provision was added which requires that in the case of previously mined land, the use of the land prior to any mining shall also be described to the extent such information is available.

New subsection (a)(3) contains the soil map provision of existing 62 IAC 1779.25(a)(11)(D). The substantive provisions of existing subsections (a), (a)(1), (a)(3), and (a)(4) are redesignated new subsections (b), (b)(1), (b)(2), and (b)(3). Existing subsection (a)(2) pertaining to detailed management plans for a post-mining use of grazing is deleted.

Existing subsection (b) is redesignated new subsection (c).

J. 62 IAC 1783—Underground Mining Permit Applications—Minimum Requirements for Information on Environmental Resources

Illinois is proposing to revise the following sections of part 1783 for consistency with changes made to the Federal regulations at 30 CFR 783 on May 27, 1994 (59 FR 27932).

1. Section 1783.22—Land Use Information

Section 1783.22 pertains to underground mining permit application requirements for pre-mining land use information. Illinois is proposing to delete § 1783.22 and to reorganize the repealed provisions at subsection (a) into 62 IAC 1784.15(a).

2. Section 1783.25—Cross Sections, Maps and Plans

Subsections (a)(11) (A), (B), and (C) are proposed to be deleted. Subsection (a)(11)(D) is proposed to be deleted from this section and relocated to 62 IAC 1784.15(a)(3).

Statutory citations in subsection (b) are updated.

K. 62 IAC 1784.15—Reclamation Plan: Pre-Mining and Post-Mining Information

Illinois is proposing to revise this section for consistency with changes made to the Federal regulations at 30 CFR 784 on May 27, 1994 (59 FR 27932). The section title is changed from "Reclamation Plan: Post-Mining Land Uses" to "Reclamation Plan: Pre-Mining and Post-Mining Information." New subsections (a), (a)(1), and (a)(2) contain the substantive pre-mining land use information provisions of existing 62 IAC 1783.22(a) with one addition. At new subsection (a)(1), one new provision was added which requires that in the case of previously mined land, the use of the land prior to any mining shall also be described to the extent such information is available.

New subsection (a)(3) contains the soil map provision of existing 62 IAC 1783.25(a)(11)(D). The substantive provisions of existing subsections (a), (a)(1), (a)(2), and (a)(3) are redesignated new subsections (b), (b)(1), (b)(2), and (b)(3).

Existing subsection (b) is redesignated new subsection (c).

L. 62 IAC 1785—Requirements for Permits for Special Categories of Mining

Illinois is proposing to revise the following sections of part 1785.

1. Section 1785.17—Prime Farmlands

At subsection (a), Illinois is proposing to delete the following language: "Nothing in this section shall apply to any permit issued prior to the date of enactment of the Federal Act, or to any revisions or renewals thereof, or to any existing surface mining operations for which a permit was issued prior to the date of enactment of the Federal Act, as determined by the Department prior to September 29, 1981. For lands for which a request for exemption was initially made or pending on or after September 29, 1981."

Existing subsections (a)(5) and (6) pertaining to an acreage limitation on the amount of exempted prime farmland are deleted. Existing subsection (a)(7)(A) was redesignated subsection (a)(5). Existing subsection (a)(7)(B) pertaining to a preliminary exemption review is deleted.

At subsection (d)(1), the sentence "The State recognizes that the permit cannot be issued without the required consultation with USDA" is deleted.

2. Section 1785.23—Minor Underground Mine Facilities Not at or Adjacent to the Processing or Preparation Facility or Area

Illinois proposes to revise subsection (d)(3) by requiring written comments be filed within the public comment period.

The revision to subsection (e)(1) requires the Department to make its final decision to approve, deny, or modify the complete application for a permit within 20 days following the close of the public comment period.

Subsection (g)(1) is proposed to be amended to require the Department to notify persons who filed comments or