to be represented is smaller than 800 acres, the reference area shall be the greater of 5 percent of the field(s) to be represented or 1 acre.

Paragraph (2) requires that each reference area be representative of the soils of the field(s) to be represented. The permittee shall provide adequate documentation of the soils and soil quality present in the reference area.

Paragraph (3) requires that each year the permitted provide a statement by a Federation of Certifying Boards in Agriculture, Biology, Earth and Environmental Sciences-certified professional or a certified agronomist that the management of the reference area is equivalent to the field(s) to be represented. The permittee shall describe the proposed management of the reference area in a proposal.

Paragraph (4) requires that reference areas be located within six miles of the field(s) to be represented.

Paragraph (5) requires right-of-entry on the reference area for authorized representatives of the Department and the Illinois Department of Agriculture be secured by written agreement or consent for the entire time period in which the reference area will be used.

Paragraph (6) requires that proposed reference areas be submitted for Department approval no later than February 15 of the year in which they are proposed to be used.

Paragraph (7) requires that the reference areas have yields established by whole field harvest and shall be documented by the Illinois Department of Agriculture. Paragraph (8) requires that yields determined for the reference area be those used for determination of success of revegetation unless the Department determines that management practices have not been equivalent during the course of the year or the Department determines that growing conditions have not been representative of the fields to be tested.

9. Sections 1816.117/1817.117— Revegetation: Tree and Shrub Vegetation

The State Act was amended at 225 ILCS 720/3.15 to change the revegetation responsibility period from five years to two years for areas eligible for remining. Sections 1816/ 1817.117(a)(1) are proposed to be amended to implement this statute by requiring that on lands eligible for remining, the period of responsibility (until September 30, 2004) shall be two full years for trees and shrubs. Also, until September 30, 2004, on lands eligible for remining, trees and shrubs need not have been in place for three years; however, such trees and shrubs shall not be counted in determining success during the same calendar year in which they were planted.

Sections 1816/1817.117(a)(3) are proposed to be amended to clarify that erosion control structures, including pond embankments, shall not require the planting of trees and shrubs.

Sections 1816/1817.117(b) are proposed to be amended to clarify that planting arrangements such as hedgerows, border plantings, clump plantings, shelterbelts, and open herbaceous areas which increase diversity and edge effect within wildlife areas may be approved by the Department on a case-by-case basis prior to planting such areas.

Sections 1816/1817.117(c)(1) are proposed to be revised by replacing the word "area" with the word "field." These sections are also revised by adding a requirement that once field boundaries are established in a submittal, the boundaries shall not be changed unless the Department approves a request in accordance with 62 IAC 1774.13.

10. Section 1817.121—Subsidence Control

Illinois proposes to add new subsection (c)(3) to require operators to promptly replace any drinking, domestic, or residential water supply from a well or spring in existence prior to the application for a surface coal mining and reclamation operations permit, which has been affected by contamination, diminution, or interruption resulting from underground coal mining operations.

11. Section 1817.131—Cessation of Operations: Temporary

At subsection (b), three typographical errors were corrected. The word "conduct" was changed to "conducts" in the first sentence. The word "affected" was added and the word "are" was corrected to the word "area" in the second sentence.

12. Sections 1816.133/1817.133—Post-Mining Land Capability

At subsection (a)(2)(C) a typographical error was corrected by replacing the word "bound" by the word "found."

## 13. Sections 1816.151/1817.151— Primary Roads

At subsection (a), Illinois proposes to specify that the certification shall be submitted within 30 days after completion of construction. Illinois also defines completion of construction to mean that the road is being used for its intended purpose as determined by the Department. 14. Section 1817.182—Minor Underground Mine Facilities Not at or Adjacent to the Processing or Preparation Facility or Area

At subsection (a), Illinois corrected a typographical error by replacing the word "is" with the word "if."

At subsection (d)(4), Illinois corrected a typographical error by replacing the word "existing" with the word "restore."

At subsection (l), Illinois corrected the regulatory citation by replacing "1817.103" with "1817.102."

15. Sections 1816.190/1817.190— Affected Acreage Map

At subsection (a), Illinois is proposing to delete the phrase "and to the county clerk."

At subsection (b), Illinois is requiring the permittee to submit an additional copy of the affected acreage report, which the Department will then forward to the county clerk. Illinois is also requiring that one of the copies contain the original signature of a company official. Also, statutory citations are being updated in subsection (b).

16. Section 1816.Appendix A— Agricultural Lands Productivity Formula—Permit Specifics Yield Standard

Illinois proposed several changes for the "Permit Specifics Yield Standard" section. The two existing paragraphs are amended and reorganized into subsections (a) and (b), respectively, and new provisions were added at subsections (c) through (f).

Language is added at redesignated subsection (a) to clarify that ALPF target calculation procedures are applicable to limited capability lands and that targets are to be based on the soils which are disturbed within the permit area.

The existing provisions in redesignated subsection (b) are now subject to the provisions of subsections (c) through (f).

New subsection (c) specifies that the Department shall provide for establishment of specific yield standards for the individual capability groups to be weighted for an individual pit (geographically distinct mining area) if multiple permits are adjacent and confined to a single continuous pit, or multiple pits are not adjacent but are within an individual permit.

New subsection (d) specifies that if an individual mining pit is present in more than one county, annual target yield adjustments shall be based on the county with the greater permit acreage.

New subsection (e) specifies that after mining operations have ceased and at