



# Illinois Department of Natural Resources


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JB Pritzker, Governor  
Colleen Callahan, Director

## Land Reclamation Division Operator Memorandum 2021-05

To: All Coal Mine Operators/Consultants

Date: September 21, 2021

From: Ronnie Huff   
Office of Mines and Minerals Director

Re: Contemporaneous Reclamation / Concurrent Covering of Refuse

Contemporaneous soil covering of coal mine waste impounding structures and coal mine waste refuse piles (herein collectively referred to as Refuse Disposal Areas, or "RDA's") yields the following benefits: 1) reduction of the chemical load on surface water discharges from the site; 2) reduction of impacts to the hydrological balance of both surface and groundwaters; 3) reduction in sediment load of receiving perimeter ditches and sediment ponds and subsequent maintenance thereof; and 4) reductions in reclamation bond requirements and liability. The Illinois Environmental Protection Agency (IEPA) also recommends contemporaneous soil covering as a best management practice in its Best Management Practices to Minimize Sulfates and Chlorides 2007 guidance document.

To reduce effluent chemical and sediment loading from mine discharges, operators shall employ the best technology currently available to achieve contemporaneous soil covering in coordination with the construction of RDA's, pursuant to 62 Ill. Adm. Code Sections 1816/1817.41(d), 1816/1817.83, 1816/1817.84 and 1816/1817.100 for surface and underground mining operations.

Effective this date, proposed RDAs that have not yet been approved will be required to incorporate a plan for contemporaneous soil covering as part of the response to Part 9.9 of the Department's

permit application. This plan shall address, at minimum, liming, grading, revegetation, erosion control design, and any required soil/refuse compaction plan to reduce infiltration and, therefore, also reduce long-term impacts to the hydrologic balance of both surface and groundwater systems.

All RDA's shall be reclaimed contemporaneously per the terms and conditions of their approved IDNR permit, reclamation plan, and/or compliance action pursuant to existing regulations. Pursuant to Sections 1780.18(b)(9)/1784.13(b)(9) and 1780.21(h)/1784.14(g) any RDA which requires a soil/refuse compaction plan via a Department permitting action, or IEPA enforcement action shall have the compacted layer(s) placed as part of the contemporaneous soil covering process.

Existing sites will be phased into conformity with this policy under timelines established for individual sites as part of the Department's mid-term review conducted pursuant to 62 Ill. Adm. Code 1774.11, or as part of the permit renewal process conducted pursuant to 62 Ill. Adm. Code 1774.15. The Department will meet with the permittee/operator during the establishment of these timelines to develop a phased, coordinated plan. Progress will be revisited every 2.5 years during subsequent renewals and midterm reviews.

If you have any questions, please feel free to contact the Refuse Committee Chairperson.