**Section 100.20 Initiating Action Before the Mining Board**

a) Initiating Adjudicatory Proceeding - Complaints and Petitions

1) The Director may initiate action before the Board for adjudicatory proceedings under the Act by filing a complaint with the Board. The form and contents of such complaint shall be in accordance with Section 100.40(b) of this Part.

2) Pursuant to the provisions of the Act, including, but not limited to Sections 2.13, 4.24, 5.04, 6.14, and 7.05 and subject to those provisions, any person or persons may initiate action before the Board for adjudicatory proceedings under the Act by filing a formal petition for relief with the Director. The form and contents of such petition shall be in accordance with Section 100.40(c) of this Part. If such petition alleges a breach of any statute or any rule or regulation of the Department, the Director, if he so elects, may also file a complaint with the Board. Regardless of whether the Director elects to file such complaint, he shall, within five (5) days from receipt of any petition, file said petition with the Board.

b) Initiating Rule-making Proceedings

1) Any person or persons may initiate action for rule-making proceedings under the Act by filing an application for such rule-making with the Director. The form and contents of such application shall be in accordance with Section 100.40(a) of this Part. The Director, within sixty (60) days from receipt of such application, shall, at his discretion:

A) File said application with the Board;

B) Deny said application and transmit such denial and the reasons for same to the applicant; or

C) Amend such application and file said amended application with the Board, transmitting such amendments and the reasons for same to the applicant.

2) The Director may initiate action for rule-making proceedings under the Act by serving written notice as provided in Section 100.90(a) of these Rules of Procedure.