**Section 240.1320 Mining Board May Determine Presence of Coal Seams**

The Mining Board shall have authority to determine when workable coal beds or seams are present, by geological data obtained from the State Geological Survey, or other relevant information which would indicate the presence of workable coal beds or seams underlying the well site. When the presence of any coal strata or seam is disputed by the owner or manager of a well, and such condition is contrary to the geological information possessed by the Mining Board, such contention of the owner or manager shall be supported by an affidavit on a form prescribed and furnished by the Mining Board, which affidavit shall be executed by a geologist or other person qualified and competent to determine the presence of such disputed coal strata or seam. When such affidavit has been filed with the Mining Board, it shall have authority to determine the issue, after obtaining all further geological information possible, or if the Mining Board deems expedient, it may on its own motion, call a hearing to be held as herein provided to determine such facts.

(Source: Recodified from Section 240.820 at 15 Ill. Reg. 8566)