**Section 280.60 New Underground Coal Mines**

The following Part applies to underground coal mines for which a notice of mine opening was filed on or after February 3, 1978.

a) Application. An application shall be submitted upon forms supplied by the Authority. Additional documentation shall accompany an application form as necessary or appropriate to demonstrate compliance with Federal Underground Mine Regulations.

b) Underground Coal Mines for which Notice of Opening was Filed Before August 11, 1978 shall be entitled to continue in operation, subject to compliance with Federal Underground Mine Regulations and provided an application for a Section 17 permit is currently on file with the Authority. Such mines shall request the determinations required of existing underground coal mines in Section 280.40 hereof. If a permittee does not have a complete application on file with the Authority, or if the Authority denies the application, operation of the mine shall cease forthwith, reasonable safety and property protection measures excepted, and shall not commence again until such application is filed or a Section 17 permit is granted.

c) No person shall open or operate an underground coal mine for which a Notice of Mine Opening was not filed before August 11, 1978 until a Section 17 permit is issued for the mine.

d) No person shall operate an underground coal mine except in conformity with the Act and the Federal Underground Mine Regulations, 30 CFR 717 (except 717.17 (e)).

e) Permit Application Process. The permit application process for underground coal mines shall be the same as for new surface mines, except that no review by or filing with County Boards shall be required of an applicant. An applicant may elect to have its application reviewed by County Boards. Comments of a County Board are encouraged by the Authority. County Board comments will be considered by the Authority prior to final action on an application if submitted within 75 days of the filing of an application. A County Board may request copies of underground coal mine applications.

f) Determinations. After a permit is issued, determinations shall be requested in accordance with Section 280.40 hereof.