**Section 280.90 Transitions**

a) The provisions of The Surface-Mined Land Conservation and Reclamation Act as amended (Ill. Rev. Stat. ch. 96½, pars. 4501-4520) and corresponding regulations shall remain in effect insofar as they apply to the mining of coal as defined in 30 CFR 700.5, until the publication in the Federal Register of notice of the approval, conditional or unconditional, of the proposed Illinois permanent program by the Secretary of the Interior.

b) The effectiveness of Articles I through VIII of The Surface Coal Mining Land Conservation and Reclamation Act, (Ill. Rev. Stat. 1981, ch. 96 ½, par. 7901.01 et seq.) approved September 22, 1979, and any regulations promulgated in the Federal Register of Notice of the approval, conditional or unconditional, of the proposed Illinois permanent program by the Secretary of the Interior.

c) All permits issued under The Surface-Mined Land Conservation and Reclamation Act and regulations promulgated thereunder, and bonds accepted therewith, will remain effective and valid, and are hereby extended to the earliest in occurrence of the following: 8 months after the effective date of the Secretary's approval of a State program, or the date of approval of a permit application under an approved State program; provided, however, that a person conducting surface coal mining operations under a permit from the State Regulatory Authority, issued in accordance with the provisions of the Section 17 Interim Regulations for Illinois Surface Coal Mining Operations may conduct such operations beyond such period if an application for a permit has been filed in accordance with the provisions of the Federal Surface Mining Control and Reclamation Act of 1977, but the decision on the application has not been made.

d) Any operator may elect to submit an informal application for a permit to conduct surface coal mining operations at any time after August 1, 1980, including in the application information which will be required under The Surface Coal Mining Land Conservation and Reclamation Act.

e) Nothing in these Transition Rules is to be construed to change or affect the applicable law and regulations governing the aggregate mining industry as defined in the Surface-Mined Land Conservation and Reclamation Act, as amended.

f) To the extent consistent with the Surface Coal Mining Land Conservation and Reclamation Act, all bonds, plans, duties and requirements pursuant to "The Open Cut Land Reclamation Act," approved August 10, 1961, as amended, and "The Surface-Mined Land Conservation and Reclamation Act," approved September 17, 1971, as amended, shall remain in full force and effect with respect to mining commenced prior to the effective date of the Surface Coal Mining Land Conservation and Reclamation Act.