**Section 1817.81 Coal Mine Waste: General Requirements**

a) All coal mine waste shall be placed in new or existing disposal areas approved by the Department for this purpose. These areas shall be within a permit area. Coal mine waste shall be placed in a controlled manner to:

1) Minimize adverse effects of leachate and surface water runoff on surface and ground water quality and quantity in accordance with Section 1817.41;

2) Ensure mass stability and prevent mass movement during and after construction by:

A) Spreading the coal mine waste in layers no more than twenty-four (24) inches in thickness;

B) Compacting the coal mine waste to prevent spontaneous combustion and to provide the strength required for stability of the coal processing waste bank;

C) Variations shall be allowed in these requirements for the disposal of dewatered fine coal mine waste (minus twenty-eight (28) sieve size) with approval of the Department, if, because of site-specific conditions, compliance with the requirements of subsections (c)(1) and (c)(2) is not necessary to meet performance standards;

3) Ensure that the final disposal facility is suitable for reclamation and revegetation compatible with the natural surroundings and the approved post-mining land uses;

4) Not create a public safety hazard; and

5) Prevent combustion.

b) Coal mine waste materials from activities located outside a permit area, such as those activities at other mines or abandoned mine waste piles may be disposed of in the permit area only if approved by the Department. Approval shall be based on a showing by the person who conducts underground mining activities in the permit area that such disposal will be in accordance with the standards of this Section.

c) Design certification.

1) The disposal facility shall be designed using current, prudent engineering practices and shall meet any design criteria established by the Department. A qualified registered professional engineer, experienced in the design of similar earth and waste structures, shall seal the design of the disposal facility.

2) The disposal facility shall be designed to attain a minimum long-term static safety factor of 1.5. The foundation and abutments must be stable under all conditions of construction.

d) Foundation. Sufficient foundation investigations such as on-site investigations and test borings, as well as any necessary laboratory testing of foundation material, shall be performed in order to determine the design requirements for foundation stability. The analyses of the foundation conditions shall take into consideration the effect of underground mine workings, if any, upon the stability of the disposal facility.

e) Emergency procedures. If any examination or inspection discloses that a potential hazard exists, the Department shall be informed promptly of the finding and of the emergency procedures formulated for public protection and remedial action. If procedures cannot be formulated or implemented to ensure compliance with subsection (a), the Department shall be notified immediately. The Department shall then notify the appropriate agencies that other emergency procedures are required to protect the public.

f) Underground disposal. Coal mine waste may be disposed of in underground mine workings, but only in accordance with a plan approved by the Department and MSHA under 62 Ill. Adm. Code 1784.25.

(Source: Amended at 11 Ill. Reg. 8250, effective July 1, 1987)