**Section 1817.182 Minor Underground Mine Facilities Not at or Adjacent to the Processing or Preparation Facility or Area**

a) This Section sets forth performance standards for minor underground mine facilities not at or adjacent to the processing or preparation facility or area, such as air shafts, fan and ventilation buildings, small support buildings or sheds, access power holes, other small miscellaneous structures, and associated roads. These performance standards and other requirements are the minimum standards which shall be required of such operations, however, the Department will require application of applicable performance standards of 62 Ill. Adm. Code 1810 through 1828 and this Part if such minor facilities significantly impact land, air or water resources.

b) Habitats of unique value for fish, wildlife, and other related environmental values shall not be disturbed.

c) The person who utilizes such facilities shall, to the extent practicable, measure important environmental characteristics of the area to be affected during the operations, to minimize environmental damage to the area and to provide supportive information for any permit application that person may submit under 62 Ill. Adm. Code 1785.23.

d) Roads.

1) Vehicular travel on other than established, graded and surfaced roads shall be limited by the person who conducts coal mining activities to that absolutely necessary to conduct the activities. Travel shall be confined to graded and surfaced roads during periods when excessive damage to vegetation or rutting of the land surface could result.

2) Any new roads associated with the facilities shall comply with Sections 1817.150 and 1817.151 of this Part.

3) Existing roads may be used in accordance with the following:

A) All applicable Federal, State, and local requirements shall be met;

B) If the road is significantly altered for the operation, including, but not limited to, change of grade, widening, or change of route, or if use of the road contributes additional suspended solids to streamflow or runoff, then subsection (h) of this Section shall apply to all areas of the road which are altered or which result in such contributions; and

C) If the road is significantly altered for the underground mining activities and will remain as a permanent road after activities are completed, the permittee shall ensure that the requirements of Sections 1817.150 and 1817.151 of this Part are met for the design, construction, alteration, and maintenance of the road.

4) Promptly after the activities are completed, restore:

A) To a condition equal to or better than their predisturbance condition; or

B) To the condition required for permanent roads under Sections 1817.150 and 1817.151 of this Part, as appropriate.

e) If excavation, artificial flat areas, or embankments are created during establishment of minor facilities, these areas shall be returned to the approximate original contour promptly after such features are no longer needed for the underground mining activity.

f) If topsoil shall be removed, stored, and redistributed on disturbed areas as necessary to assure successful revegetation or as required by the Department.

g) Revegetation of areas disturbed by the establishment or use of minor facilities shall be performed by the permittee, or his or her agent. All revegetation shall be in compliance with the plan approved by the Department and carried out in a manner that encourages prompt vegetative cover comparable with approved post disturbance land uses.

h) With the exception of small and temporary diversions of overland flow of water around new roads, drill pads, and support facilities, no ephemeral, intermittent or perennial stream shall be diverted during activities in connection with minor underground mine facilities. Overland flow of water shall be diverted in a manner that:

1) Prevents erosion;

2) To the extent possible using the best technology currently available, prevents additional contribution of suspended solids to streamflow or runoff outside the disturbed area; and

3) Complies with all other applicable State or Federal requirements.

i) Each borehole, well, or other exposed underground opening created must meet the requirements of Sections 1817.13, 1817.14, and 1817.15.

j) All facilities and equipment shall be removed from the disturbed area promptly when they are no longer needed, except for those facilities and equipment that the Department determines may remain to:

1) Provide additional environmental quality data;

2) Reduce or control the on and off-site effects of the activities; or

3) Facilitate future surface mining and reclamation operations by the person conducting the activities, under an approved permit.

k) Such minor facilities shall be utilized in a manner which minimizes disturbance of the prevailing hydrologic balance, and shall include sediment control measures such as those listed in Section 1817.45 or siltation structures which comply with Section 1817.46. The Department may specify additional measures which shall be adopted by the permittee.

l) Toxic- or acid-forming materials shall be handled and disposed of in accordance with Section 1817.102. If specified by the Department, additional measures shall be adopted by the permittee.

(Source: Amended at 20 Ill. Reg. 1993, effective January 19, 1996)