**Section 2501.34 Emergency Abatement Activities**

Notwithstanding any other Section of this Part, the Department will identify and immediately address sites which present an immediate threat to public health and safety, such as hazardous mine openings, methane gas leaks, deteriorating tipple structures, hazardous highwalls, mine fires, and mine subsidence. The finding by the Department that an immediate threat exists shall be in writing. The Department shall notify the owner and request consent prior to entry and abatement work. However, if the Department is unable to notify or secure a written consent prior to conducting abatement work, a written notice shall be given to the owner within two working days after entry. The appraisal required by Section 2501.25 shall be completed at the earliest practical time, but in any case before related nonemergency work is commenced. If federal funds are to be utilized for emergency reclamation activities on non-coal mined lands, the Department shall seek to have the Governor request such authorization from the Federal Office, as required by 30 CFR 875 (1983).

(Source: Amended at 22 Ill. Reg. 11382, effective June 23, 1998)