

ILLINOIS POLLUTION CONTROL BOARD
February 22, 1990

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 72-63
) (Enforcement)
TRUAX-TRAER COAL COMPANY, a)
division of CONSOLIDATION COAL)
COMPANY,)
)
Respondent.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 72-153
) (Enforcement)
CONSOLIDATION COAL COMPANY,)
)
Respondent.)

ORDER OF THE BOARD (by J. Marlin):

This matter comes before the Board upon a letter filed February 7, 1990 by Consolidation Coal Company. That letter requested clarification of the final Board Order and Opinion in these two cases concerning whether Consolidation Coal needed to submit reclamation plans to the Board following cleanup of their Pyramid mine site under the "Abandoned Mined Lands Program." The cleanup is scheduled to begin in early summer, 1990 and includes liming and covering the slurry and gob. The Board's final Opinions in these cases retained jurisdiction pending approval of "final reclamation plans."

The Board notes that the Abandoned Mined Lands and Water Reclamation Act (Act), Ill. Rev. Stat. ch. 96½ par. 8001.01 et seq. (1987) makes the Abandoned Mined Lands Reclamation Council (Council) administrative authority for reclamation programs under that Act. The Council is authorized to determine the manner of reclamation of designated abandoned mined lands, and the use of those lands after reclamation. Ill. Rev. Stat. ch. 96½ par. 8002.02.

Given the above, the Board determines that inter-agency administrative efficiency would be served by relinquishing

jurisdiction over these two cases and yielding to the authority vested in the Council under the Abandoned Mined Lands and Water Reclamation Act. Therefore, jurisdiction over the reclamation plans is yielded pursuant to the Act and the above two cases are ordered closed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the _____ day of _____, 1990, by a vote of _____.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board