**Section 1762.11 Criteria for Designating Lands as Unsuitable**

a) Upon petition, an area shall be designated as unsuitable for all or certain types of surface coal mining operations, if the Department determines that reclamation is not technologically and economically feasible under the Surface Coal Mining and Conservation and Reclamation Act (the State Act), and these regulations.

b) Upon petition, an area may be (but is not required to be) designated as unsuitable for certain types of surface coal mining operations, if the operations will:

1) Be incompatible with existing State or local land use plans or programs;

2) Affect fragile or historic lands in which the operations could result in significant damage to important historic, cultural, scientific, or esthetic values or natural systems;

3) Affect renewable resource lands in which the operations could result in a substantial loss or reduction of long-range productivity of water supply, or of food or fiber products; or

4) Affect natural hazard lands in which the operations could substantially endanger life and property, such lands to include areas subject to frequent flooding and areas of unstable geology.

(Source: Amended at 6 Ill. Reg. 1, effective June 1, 1982)