**Section 1816.99 Slides and Other Damage**

a) An undisturbed natural barrier or constructed outcrop shall be provided beginning at the elevation of the lowest coal seam to be mined and extending from the outslope for such distance as may be determined by the Department as is needed to assure stability. The barrier shall be retained in place to prevent slides and erosion.

b) At any time a slide occurs which may have a potential adverse effect on public property, health, safety, or the environment, the person who conducts the surface mining activities shall notify the Department by the fastest available means and comply with any remedial measures required by the Department.

c) Operators that remove and do not replace the lateral support within a three (3) month period shall not, unless mutually agreed upon by the operator and the adjacent property owner, approach property lines, established right-of-way lines of any public roads, streets or highways closer than a distance, measured horizontally from the property line or right-of-way, equal to ten (10) feet plus one and one-half (1½) times the depth of any excavation except where consolidated materials or materials of sufficient hardness or ability to resist weathering and to inhibit erosion or sloughing exists in the excavation, the distance from the property line or any established right-of-way line shall not, unless mutually agreed, be closer than a distance equal to ten (10) feet plus one and one-half (1½) times the depth from the natural ground surface to the top of the consolidated material or materials. When the operator desires to remove the lateral support and replace it within a three (3) month period, the operator shall submit to the Department a written request for said purpose, outlining how the lateral support shall be replaced within three (3) months. Said request shall be approved or denied by the Department in accordance with 62 Ill. Adm. Code 1774.

(Source: Amended at 14 Ill. Reg. 11830, effective January 1, 1991)