**Section 1840.12 Right of Entry**

a) Within its jurisdiction, the Department has statutory authority that grants its representatives a right of entry to, upon, and through any coal exploration or surface coal mining and reclamation operation without advance notice or search warrant, upon presentation of appropriate credentials.

b) The Department has statutory authority that authorizes its representatives to inspect any monitoring equipment or method of exploration or operation and to have access to and copy any records required under the Federal Act, the State Act, 62 Ill. Adm. Code 1700-1850, the exploration approval or the permit. This statutory authority provides for representatives to exercise such rights at reasonable times, without advance notice, upon presentation of appropriate credentials. No search warrant shall be required, except that the Department may provide for its use with respect to entry into a building except as otherwise provided by law.

c) Authorized representatives of the Department, without advance notice and on presentation of credentials issued by the Department:

1) May enter any surface coal mining and reclamation operations or any premises in which any records the Department has required be maintained are located; and

2) May at reasonable times and without delay, have access to and copy any records, and inspect any monitoring equipment or method of operation required under the Federal Act, State Act, 62 Ill. Adm. Code 1700-1850 or any coal exploration approval or permit issued under the State Act.

(Source: Amended at 11 Ill. Reg. 8036, effective July 1, 1987)