

Illinois Department of Natural Resources

Frequently Asked Questions for Regulated Underground Mining

This site will be updated periodically to respond to inquiries.

QUESTION	When did the regulation of subsidence impacts to the land surface begin?
RESPONSE	Only lands undermined after February 1, 1983 are under the authority of the Land Reclamation Division and relevant to the following QUESTION & RESPONSE section
DRAINAGE	
QUESTION	If I believe I have drainage problems either surface or subsurface (drain tile) who should I contact?
RESPONSE	The local coal mine should be contacted first. They will be expected to verify the location of their undermining operations and resolve the matter directly with the landowner. If you are not satisfied with their response, please contact the Department's office at Benton (618) 439-9111 or Springfield (217) 782-4970.
QUESTION	If agricultural drainage tile are damaged or impaired or surface drainage is impacted from subsidence must they be repaired? And if so, who bears the cost?
RESPONSE	Surface or subsurface drainage impacts on subsided or adjacent areas must be repaired at the coal operator's expense.
QUESTION	If crops are impacted by ponded water created from subsidence, who bears the cost?
RESPONSE	The coal operator must compensate the operator for the value of crop loss until repairs are completed.
QUESTION	How long does it take to complete restoration of surface or subsurface drainage?
RESPONSE	Restoration of drainage is expected in a timely manner according to the first favorable seasonal conditions. Delays may be necessary to accommodate area topography from planned mining.
QUESTION	Are restoration efforts subject to any other laws?
RESPONSE	Yes, they are subject to the provisions of Illinois Drainage Code which may be found at http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=869&ChapAct=70%26nbsp%3B In addition, the following publication is also helpful. http://web.aces.uiuc.edu/vista/pdf_pubs/DRAINAGE98.PDF
WELLS	
QUESTION	The coal company has requested to sample my well and has asked me questions regarding its age and construction. Should I answer them?
RESPONSE	The Department asks the company to provide the best available well information for the land near the mine support areas and the areas to be undermined by planned subsidence. This includes having them gather the most current information. The best documentation of pre-mining conditions for the landowner and all parties concerned, would be to provide access for sampling and answer the questions to the best of your knowledge.
QUESTION	I believe my well has been damaged from undermining. What should I do?
RESPONSE	The local coal mine should be contacted first. They will be expected to verify the location of their undermining operations and resolve the matter directly with the landowner. If you are not satisfied with their response, please contact the Department's office at Benton (618) 439-9111 or Springfield (217) 782-4970.

COAL MAPS

QUESTION	Where do I find information about coal locations and thickness?
RESPONSE	The Illinois State Geological Survey provides information about coal at http://www.isgs.illinois.edu/ilmines . You may wish to contact them directly to assist in interpreting the information.
QUESTION	How do I find out if I am undermined?
RESPONSE	See the above web site for historical underground mining.
QUESTION	How do I find out if I am in an area proposed or approved for underground mining?
RESPONSE	Location information can be found at the Department's Geographic Information System Coal Mine Viewer web site at www.dnrgis.state.il.us/website/Mpermit/index2.asp . In addition, permit information can be found at www.dnr.state.il.us/mines/lrd/lrdecision.htm . You may wish to contact the Department to assist you in interpreting the information or using Coal Mine Viewer.

COAL LEASES

QUESTION	I have been approached by a company to lease my coal. How do I get information?
RESPONSE	Legal advice for leasing or selling coal rights are beyond the purview of the Department. However, the Department has obtained from the U of I Cooperative Extension Service the publication, Legal Aspects of Coal Leasing in Illinois , to assist you with this.
QUESTION	How do I know if I own my mineral rights?
RESPONSE	There are a several mineral rights which can be severed from the surface, e.g., oil and gas, coal, limestone, etc. Real property sale transactions are recorded at the county courthouse for the county where the surface is located. The Department does not have this information.
QUESTION	What is a shadow area?
RESPONSE	The shadow area is the geographic area in an application or permit where underground mining is proposed or approved. A mining company can include area where mining rights are pending, but must have obtained the right to undermine a specific tract prior to undermining. There are no eminent domain rights for mining companies to mine in Illinois. Instances of partial coal ownership are under the jurisdiction of the Coal Rights Act (765 ILCS 540) . The Department is prohibited from adjudicating property rights. For additional information regarding land owner rights, please see the Department's various citizen guide publications , on our site.