**Section 1816.89 Disposal of Noncoal Mine Wastes**

a) Noncoal mine wastes including, but not limited to, grease, lubricants, paints, flammable liquids, garbage, abandoned mining machinery, lumber, and other combustible material generated during surface mining activities shall be placed and stored in a controlled manner in a designated portion of the permit area. Placement and storage shall ensure that leachate and surface runoff do not degrade surface or ground water, fires are prevented, and that the area remains stable and suitable for reclamation and revegetation compatible with the natural surroundings.

b) Final disposal of noncoal mine wastes shall be in a designated disposal site in the permit area, or to a permitted solid waste disposal area. Disposal sites in the permit area shall be designed and constructed to ensure that leachate and drainage from the noncoal mine waste area does not degrade surface or underground water. Wastes shall be routinely compacted and covered to prevent combustion and windborne waste. When the disposal is completed a minimum of two feet of soil cover shall be placed over the site, slopes stabilized, and revegetation accomplished in accordance with Sections 1816.111 through 1816.117. Operation of the disposal site shall be conducted in accordance with all local, State, and Federal requirements. Areas reclaimed to cropland capability shall have a minimum of four feet of suitable soil cover.

c) At no time shall any noncoal mine waste be deposited in a refuse pile or impounding structure, nor shall any excavation for a noncoal mine waste disposal site be located within eight feet of any coal outcrop or coal storage area.

d) Notwithstanding any other provision in 62 Ill. Adm. Code 1700 through 1850 any noncoal mine waste defined as "hazardous" under Section 3001 of the Resource Conservation and Recovery Act (RCRA) (P. L. 94-580, as amended) and 40 CFR 261 shall be handled in accordance with the requirements of Subtitle C of RCRA and in accordance with the Illinois Environmental Protection Act as implemented by Title 35, Subtitle G, Part 721.

(Source: Amended at 24 Ill. Reg. 5967, effective March 21, 2000)