



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5689

by Rep. Jerry Costello, II

SYNOPSIS AS INTRODUCED:

225 ILCS 705/11.08
225 ILCS 705/11.09

Amends the Coal Mining Act. Provides that a coal mine operator must provide caches of additional self-contained self-rescues devices along the mine's primary and secondary escape ways (rather than 30 self-contained self-rescuer devices in each cache located within a mine). Provides that each cache shall have a minimum of one self-contained self-rescuer device for every person who will be inby the cache. Provides that cache locations shall be spaced along each escape way at a 30 minute travel distance. Provides alternate distances for caches if an operator chooses not to use a walk study. Provides that outby rescue chambers must be provided at distances and locations in the mine's emergency response plan and approved by the Mining Board. Makes other changes. Effective immediately.

LRB100 16593 SMS 31727 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Coal Mining Act is amended by changing
5 Sections 11.08 and 11.09 as follows:

6 (225 ILCS 705/11.08)

7 Sec. 11.08. Self-contained self-rescuer (SCSR) devices;
8 caches; strobe lights; luminescent signs.

9 (a) An operator must require each person underground to
10 carry a SCSR device on his or her person or, alternatively, a
11 SCSR device must be kept within 25 feet of the person
12 underground or may be kept more than 25 feet from the person
13 underground if done according to a plan approved by the Mining
14 Board.

15 (b) An operator must provide for each person who is
16 underground at least one SCSR device, in addition to the device
17 required under subsection (a), that provides protection for a
18 period of one hour or longer, to cover all persons in the mine.
19 This additional SCSR device must be kept within 25 feet of the
20 person underground or may be kept more than 25 feet from the
21 person underground if done according to a plan approved by the
22 Mining Board.

23 (c) If a mantrip or mobile equipment is used to enter or

1 exit the mine, additional SCSR devices, each of which must
2 provide protection for a period of one hour or longer, must be
3 available for all persons who use such transportation from
4 portal to portal.

5 (c-5) ~~In Beginning July 31, 2007, in~~ addition to the SCSR
6 devices required under subsections (a), (b), and (c) of this
7 Section, an operator must provide caches of additional SCSR
8 devices along the mine's primary and secondary escape ways.
9 Each cache shall have a minimum of one SCSR device for every
10 person who will be inby the cache ~~of 30 SCSR devices in each~~
11 ~~cache located within a mine.~~ All SCSR devices required under
12 this subsection (c-5) shall be stored in caches that are
13 conspicuous and readily accessible by each person in the mine.
14 Cache locations shall be spaced along each escape way at a 30
15 minute travel distance. This 30 minute travel distance will be
16 established based on a walk study utilizing the guidelines and
17 procedures approved by the Mining Board. An operator may
18 choose, in lieu of a walk study, to utilize the following for
19 cache distances. If the average seam height of a mine is:

20 (1) less than 40 inches, caches must be located no more
21 than 2,200 feet apart throughout a mine;

22 (2) 40 inches or more, but less than 51 inches, caches
23 must be located no more than 3,300 feet apart throughout a
24 mine;

25 (3) 51 inches or more, but less than 66 inches, caches
26 must be located no more than 4,400 feet apart throughout a

1 mine; and

2 (4) 66 inches or more, caches must be located no more
3 than 5,700 feet apart throughout a mine.

4 An operator must submit for approval a plan addressing the
5 requirements of this subsection (c-5) to the Mining Board if
6 the operator chooses to conduct a walk study to establish cache
7 distances ~~on or before May 1, 2007.~~

8 (d) The Mining Board must require all operators to provide
9 additional SCSR devices in the primary and alternate escapeways
10 to ensure safe evacuation if the Mining Board determines that
11 the SCSR devices required under subsections (a), (b), (c), and
12 (c-5) are not adequate to provide enough oxygen for all persons
13 to safely evacuate the mine under mine emergency conditions for
14 all persons underground through both primary and alternate
15 escapeways. The Mining Board must determine the time needed for
16 safe evacuation under emergency conditions from each of those
17 locations at 1,000 foot intervals. If the Mining Board
18 determines that additional SCSR devices are needed under this
19 subsection (d), the mine operator must submit a SCSR storage
20 plan to the Mining Board for approval. The mine operator must
21 include in the SCSR storage plan the location, quantity, and
22 type of additional SCSR devices, including, but not limited to,
23 SCSR devices required under subsections (a), (b), (c), and
24 (c-5) of this Section, each of which must provide protection
25 for a period of one hour or longer, that are stored in the
26 primary and alternate escapeways. The SCSR storage plan must

1 also show how each storage location in the primary and
2 alternate escapeways was determined. The Mining Board must
3 require the mine operator to demonstrate that the location,
4 quantity, and type of the additional SCSRs provide protection
5 to all persons to safely evacuate the mine. The SCSR storage
6 plan must be kept current by the mine operator and made
7 available for inspection by an authorized representative of the
8 Mining Board and by the miners' representative.

9 (e) (Blank).

10 (f) An operator must provide luminescent direction signs
11 leading to each cache and rescue chamber in a mine, and a
12 luminescent sign with the word "SELF-RESCUER" or
13 "SELF-RESCUERS" must be conspicuously posted at each cache and
14 rescue chamber.

15 (g) Intrinsically safe, battery-powered strobe lights that
16 have been approved by the Department must be affixed to each
17 cache and rescue chamber and must be capable of automatic
18 activation in the event of an emergency; however, until such
19 time as the Department approves intrinsically safe,
20 battery-powered strobe lights, reflective tape or any other
21 illuminated material approved by the Department must be affixed
22 to each cache and rescue chamber in a mine.

23 (h) An operator must implement ~~The Mining Board must adopt~~
24 ~~and impose~~ a plan for the daily inspection of SCSR devices
25 required under subsections (a), (b), and (c) of this Section in
26 order to ensure that the devices perform their designated

1 functions each working day. Additional SCSR devices required
2 under subsections (c-5) and (d) must be inspected every 90 days
3 to ensure that the devices perform their designated functions,
4 in addition to meeting all federal Mine Safety and Health
5 Administration requirements.

6 (i) Any person who, without the authorization of the
7 operator or the Mining Board, knowingly removes or attempts to
8 remove any self-contained self-rescue device, battery-powered
9 strobe light, reflective tape, or any other illuminated
10 material approved by the Department from a mine or mine site
11 with the intent to permanently deprive the operator of the
12 device, light, reflective tape, or illuminated material or who
13 knowingly tampers with or attempts to tamper with the device,
14 light, reflective tape, or illuminated material is guilty of a
15 Class 4 felony.

16 (j) (Blank).

17 (k) (Blank).

18 (Source: P.A. 94-1041, eff. 7-24-06; 94-1101, eff. 2-9-07.)

19 (225 ILCS 705/11.09)

20 Sec. 11.09. Rescue chambers.

21 (a) Rescue chambers must be provided and located within
22 3,000 feet of each working section of a mine, in accordance
23 with a plan submitted by an operator and approved by the Mining
24 Board.

25 (a-5) Outby rescue chambers must be provided at distances

1 and locations in the mine's emergency response plan and
2 approved by the Mining Board.

3 (b) An operator must submit a plan for approval concerning
4 the construction and maintenance of rescue chambers required
5 under this Section to the Mining Board ~~on or before May 1,~~
6 ~~2007.~~

7 (Source: P.A. 94-1041, eff. 7-24-06; 94-1101, eff. 2-9-07.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.