



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB2899

by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

225 ILCS 705/11.08
225 ILCS 705/11.09

Amends the Coal Mining Act. Provides that a mine operator must provide the number of self-contained self-rescuer devices as required by the mine's approved Mine Safety and Health Administration Emergency Response Plan. Removes language concerning plan requirements submitted for approval to the Mining Board. Provides that rescue chambers must be provided and located within 1,000 (rather than 3,000) feet from the nearest working face of each working section of a mine. Provides that outby rescue chambers must be provided at distances and locations approved in the mine's approved Mine Safety and Health Administration Emergency Response Plan. Makes other changes. Effective immediately.

LRB100 06225 SMS 16260 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) 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 at a minimum, the number of
8 SCSRs in the primary and alternate escapeways as required by
9 the mine's approved Mine Safety and Health Administration
10 Emergency Response Plan ~~of 30 SCSR devices in each cache~~
11 ~~located within a mine.~~ All SCSR devices required under this
12 subsection (c-5) shall be stored in caches that are conspicuous
13 and readily accessible by each person in the mine. ~~If the~~
14 ~~average seam height of a mine is:~~

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

17 ~~(2) 40 inches or more, but less than 51 inches, caches~~
18 ~~must be located no more than 3,300 feet apart throughout a~~
19 ~~mine;~~

20 ~~(3) 51 inches or more, but less than 66 inches, caches~~
21 ~~must be located no more than 4,400 feet apart throughout a~~
22 ~~mine; and~~

23 ~~(4) 66 inches or more, caches must be located no more~~
24 ~~than 5,700 feet apart throughout a mine.~~

25 ~~An operator must submit for approval a plan addressing the~~
26 ~~requirements of this subsection (c 5) to the Mining Board on or~~

1 ~~before May 1, 2007.~~

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

1 ~~by the mine operator and made available for inspection by an~~
2 ~~authorized representative of the Mining Board and by the~~
3 ~~miners' representative.~~

4 (e) (Blank).

5 (f) An operator must provide luminescent direction signs
6 leading to each cache and rescue chamber in a mine, and a
7 luminescent sign with the word "SELF-RESCUER" or
8 "SELF-RESCUERS" must be conspicuously posted at each cache and
9 rescue chamber.

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

18 (h) An operator must implement ~~The Mining Board must adopt~~
19 ~~and impose~~ a plan as required by the mine's approved Mine
20 Safety and Health Administration Emergency Response Plan for
21 the daily inspection of SCSR devices required under subsections
22 (a), (b), and (c) of this Section in order to ensure that the
23 devices perform their designated functions each working day.
24 Additional SCSR devices required under subsections (c-5) and
25 (d) must be inspected every 90 days to ensure that the devices
26 perform their designated functions, in addition to meeting all

1 federal Mine Safety and Health Administration requirements.

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

12 (j) (Blank).

13 (k) (Blank).

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

15 (225 ILCS 705/11.09)

16 Sec. 11.09. Rescue chambers.

17 (a) Rescue chambers must be provided and located within
18 1,000 ~~3,000~~ feet from the nearest working face of each working
19 section of a mine, in accordance with the mine's approved Mine
20 Safety and Health Administration Emergency Response Plan ~~a plan~~
21 ~~submitted by an operator and approved by the Mining Board.~~

22 (a-5) Outby rescue chambers must also be provided at
23 distances and locations approved in the mine's approved Mine
24 Safety and Health Administration Emergency Response Plan.

25 (b) (Blank). ~~An operator must submit a plan for approval~~

1 ~~concerning the construction and maintenance of rescue chambers~~
2 ~~required under this Section to the Mining Board on or before~~
3 ~~May 1, 2007.~~

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

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.