



Sen. Gary Forby

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09400HB0822sam001

LRB094 07335 RAS 60939 a

1 AMENDMENT TO HOUSE BILL 822

2 AMENDMENT NO. _____. Amend House Bill 822 by replacing
3 everything after the enacting clause with the following:

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
24 exit the mine, additional SCSR devices, each of which must

1 provide protection for a period of one hour or longer, must be
2 available for all persons who use such transportation from
3 portal to portal.

4 (c-5) Beginning July 31, 2007, in addition to the SCSR
5 devices required under subsections (a), (b), and (c) of this
6 Section, an operator must provide a minimum of 30 SCSR devices
7 in each cache located within a mine. All SCSR devices required
8 under this subsection (c-5) shall be stored in caches that are
9 conspicuous and readily accessible by each person in the mine.
10 If the average seam height of a mine is:

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

13 (2) 40 inches or more, but less than 51 inches, caches
14 must be located no more than 3,300 feet apart throughout a
15 mine;

16 (3) 51 inches or more, but less than 66 inches, caches
17 must be located no more than 4,400 feet apart throughout a
18 mine; and

19 (4) 66 inches or more, caches must be located no more
20 than 5,700 feet apart throughout a mine.

21 An operator must submit for approval a plan addressing the
22 requirements of this subsection (c-5) to the Mining Board on or
23 before May 1, 2007.

24 (d) The Mining Board must require all operators to provide
25 additional SCSR devices in the primary and alternate escapeways
26 to ensure safe evacuation if the Mining Board determines that
27 ~~if~~ the SCSR devices required under subsections (a), (b), and
28 (c), and (c-5) are not adequate to provide enough oxygen for
29 all persons to safely evacuate the mine under mine emergency
30 conditions, ~~the mine operator must provide additional SCSR~~
31 ~~devices in the primary and alternate escapeways to ensure safe~~
32 ~~evacuation~~ for all persons underground through both primary and
33 alternate escapeways. The Mining Board must determine the time
34 needed for safe evacuation under emergency conditions from each

1 of those locations at 1,000 foot intervals. If the Mining Board
2 determines that additional SCSR devices are needed under this
3 subsection (d), the ~~The~~ mine operator must submit a SCSR
4 storage plan to the Mining Board for approval. The mine
5 operator must include in the SCSR storage plan the location,
6 quantity, and type of additional SCSR devices, including, but
7 not limited to, SCSR devices required under subsections (a),
8 (b), (c), and (c-5) of this Section, each of which must provide
9 protection for a period of one hour or longer, that are stored
10 in the primary and alternate escapeways. The SCSR storage plan
11 must also show how each storage location in the primary and
12 alternate escapeways was determined. The Mining Board must
13 require the mine operator to demonstrate that the location,
14 quantity, and type of the additional SCSRs provide protection
15 to all persons to safely evacuate the mine. The SCSR storage
16 plan must be kept current by the mine operator and made
17 available for inspection by an authorized representative of the
18 Mining Board and by the miners' representative.

19 (e) (Blank) ~~All SCSR devices required under this Section~~
20 ~~shall be stored in caches that are conspicuous and readily~~
21 ~~accessible by each person in the mine.~~

22 (f) An operator must provide ~~require~~ luminescent direction
23 signs leading to each cache and rescue chamber ~~to be posted~~ in
24 a mine, and a luminescent sign with the word ~~words~~
25 "~~SELF-CONTAINED~~ SELF-RESCUER" or "~~SELF-CONTAINED~~
26 SELF-RESCUERS" must be conspicuously posted at each cache and
27 rescue chamber.

28 (g) Intrinsically safe, battery-powered strobe lights that
29 have been approved by the Department must be affixed to each
30 cache and rescue chamber and must be capable of automatic
31 activation in the event of an emergency; however, until such
32 time as the Department approves intrinsically safe,
33 battery-powered strobe lights, reflective tape or any other
34 illuminated material approved by the Department must be affixed

1 to each cache and rescue chamber in a mine.

2 (h) The Mining Board must adopt and impose a plan for the
3 daily inspection of SCSR devices required under subsections
4 (a), (b), and (c) of this Section in order to ensure that the
5 devices perform their designated functions each working day.
6 Additional SCSR devices required under subsections (c-5) and
7 ~~subsection~~ (d) must be inspected every 90 days to ensure that
8 the devices perform their designated functions, in addition to
9 meeting all federal Mine Safety and Health Administration
10 requirements.

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

21 (j) ~~(Blank) Beginning January 31, 2007, in addition to the~~
22 ~~SCSR devices required under subsections (a), (b), and (c), an~~
23 ~~operator must provide a minimum of 30 SCSR devices in each~~
24 ~~cache located within a mine, in addition to federal Mine Safety~~
25 ~~and Health Administration requirements. Caches must be located~~
26 ~~no more than 4,000 feet apart throughout a mine.~~

27 (k) ~~(Blank) An operator must submit for approval a plan~~
28 ~~addressing the requirements of subsection (j) of this Section~~
29 ~~to the Mining Board within 3 months after the effective date of~~
30 ~~this amendatory Act of the 94th General Assembly.~~

31 (Source: P.A. 94-1041, eff. 7-24-06.)

32 (225 ILCS 705/11.09)

33 Sec. 11.09. Rescue chambers.

1 (a) Rescue ~~chambers approved by the Mining Board must be~~
2 ~~provided at suitable locations throughout a mine.~~ (b) ~~Beginning~~
3 ~~January 31, 2007,~~ rescue chambers approved by the Mining Board
4 must be provided and located within 3,000 feet of each working
5 section of a mine, in accordance with a plan submitted by an
6 operator and approved by the Mining Board.

7 (b) ~~(c)~~ An operator must submit a plan for approval
8 concerning the construction and maintenance of rescue chambers
9 required under this Section to the Mining Board on or before
10 May 1, 2007 ~~within 3 months after the effective date of this~~
11 ~~amendatory Act of the 94th General Assembly.~~

12 (Source: P.A. 94-1041, eff. 7-24-06.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law."