

AN ACT concerning regulation.

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

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

(225 ILCS 705/11.08)

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

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

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

(c) If a mantrip or mobile equipment is used to enter or exit the mine, additional SCSR devices, each of which must provide protection for a period of one hour or longer, must be available for all persons who use such transportation from portal to portal.

(c-5) Beginning July 31, 2007, in addition to the SCSR devices required under subsections (a), (b), and (c) of this Section, an operator must provide a minimum of 30 SCSR devices in each cache located within a mine. All SCSR devices required under this subsection (c-5) shall be stored in caches that are

conspicuous and readily accessible by each person in the mine.

If the average seam height of a mine is:

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

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

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

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

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

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

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

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

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

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

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

(i) Any person who, without the authorization of the operator or the Mining Board, knowingly removes or attempts to

remove any self-contained self-rescue device, ~~or~~ battery-powered strobe light, reflective tape, or any other illuminated material approved by the Department from a mine or mine site with the intent to permanently deprive the operator of the device, ~~or~~ light, reflective tape, or illuminated material or who knowingly tampers with or attempts to tamper with the device, ~~or~~ light, reflective tape, or illuminated material is guilty of a Class 4 felony.

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

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

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

(225 ILCS 705/11.09)

Sec. 11.09. Rescue chambers.

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

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

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

Section 99. Effective date. This Act takes effect upon

Public Act 094-1101

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becoming law.