

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 5.06, 5.09, 5.10, 5.11, 6.01, 6.04, 6.05, 6.10, 6.11, 6.12, 6.15, 6.16, 16.11, 25.01, 25.02, 25.04, 25.05, 29.01, 31.03, 31.04, 31.05, 31.06, 31.10, and 31.30 and by adding Section 1.25 as follows:

(225 ILCS 705/1.25 new)

Sec. 1.25. Recorder. "Recorder" means a person with a mine manager certification or mine examiner certification who is trained and designated by the operator as the individual responsible for recording the mine examiner's examination of the underground workings of the mine.

(225 ILCS 705/5.06) (from Ch. 96 1/2, par. 506)

Sec. 5.06. The mine manager shall be responsible for the performance of all the functions and duties prescribed in Sections 5.07 to 5.25, both inclusive. The mine manager may not perform the duties of a mine examiner while serving in the capacity of a mine manager.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/5.09) (from Ch. 96 1/2, par. 509)

Sec. 5.09. ~~(A)~~ In all ~~gassy~~ mines:

1. When the mine is to be operated, he shall have the prescribed working places of such mine examined by a certified mine examiner within 3 ~~4~~ hours before the workers of any shift, other than the examiner or the examiners designated by the mine manager to make the examination, enter the underground areas of such mine. Have the mine examiner inspect every active working place in the mine and make tests therein with a multi-gas detector ~~permissible flame safety lamp~~ for accumulation of methane and oxygen deficiency in the air therein; examine intake seals used to ventilate a working section and doors to determine whether they are functioning properly; inspect and test the roof, face and rib conditions in the working areas and on active roadways and travelways; inspect active roadways, travelways, approaches to abandoned workings and accessible falls in active sections for explosive gas and other hazards; and inspect to determine whether the air in each split is traveling in its proper course and in normal volume.

2. On "non-coal producing shifts", if the mine has a minimum of 120 psi seals, he shall have the mine examined by a certified mine examiner in any area where any person is scheduled to work or travel underground. If the mine has less than 120 psi seals, he shall have the mine examined by a certified mine examiner in its entirety the same as for a coal producing shift, except where persons are to work only in the

shaft, slope, drift, or on the immediate shaft or slope bottom, then only that area immediately surrounding the bottom shall be examined. If the mine has a minimum of 120 psi seals and the mine has not been examined in its entirety for 7 consecutive days, he shall have a certified mine examiner conduct a full mine examination, including seals and escape ways, prior to anyone other than the mine examiner or mine examiners designated by the mine manager to make the examination enter the underground areas of such mine. If it is known that the air downwind of a minimum 120 psi seals when tested at a point not less than 12 inches from the roof, face, or rib contains more than 1.0% of methane as determined by permissible methane detector, air analysis, or other recognized means of accurately detecting such gas, he shall have the mine examined in its entirety the same as for a coal producing shift, except where persons are to work only in the shaft, slope, or drift or on the immediate shaft or slope bottom, then only that area immediately surrounding the bottom shall be examined.

3. He shall see that no person, other than competent personnel, enters any underground area in a ~~gassy~~ mine, except during a coal-producing shift, unless an examination of such area has been made by a mine examiner within 12 hours immediately preceding his entrance into such area.

4. If the mine has constructed a minimum of 120 psi seals, he shall have a certified mine examiner conduct weekly examinations at each seal along return and bleeder air courses

and at each seal along intake air courses where intake air passing by the seal is not used to ventilate a working section. If the mine has constructed less than 120 psi seals, he shall have a certified mine examiner conduct a daily examination of each seal along return and bleeder air courses. If it is known that the air downwind of a minimum 120 psi seals when tested at a point not less than 12 inches from the roof, face, or rib contains more than 1.0% of methane as determined by permissible methane detector, air analysis, or other recognized means of accurately detecting such gas, he shall have each seal along return and bleeder air courses and at each seal along intake air courses where intake air passing by the seal not used to ventilate a working section to be examined by a certified mine examiner before the workers of any shift, other than the examiner or the examiners designated by the mine manager to make the examination, enter the underground areas of such mine.

5. He shall have a certified mine examiner conduct weekly examinations of escape ways required by Sections 19.11 and 19.13.

~~(B) In non-gassy mines:~~

~~1. Have the underground areas examined by a certified mine examiner at least once in each calendar day during which coal is produced. Such examination shall be made within 4 hours immediately preceding the beginning of the first coal-producing shift on such day.~~

~~2. On idle days, have all sections of the mine examined~~

~~where men are to be required to work.~~

~~3. On idle nights, when the mine has been examined for the day shift and the men are to work in sections previously examined and no coal is to be mined, no further examination shall be required.~~

~~(C) One examination on each day when workers perform production or idle day work shall include the escape ways required by Sections 19.11 and 19.13.~~

(Source: P.A. 81-992.)

(225 ILCS 705/5.10) (from Ch. 96 1/2, par. 510)

Sec. 5.10. To have the underground working places in the mine examined for hazards by competent personnel designated by the operator to do so, at least once during each coal-producing shift, or oftener if necessary for safety. Examinations ~~In a gassy mine such examinations~~ shall include tests with a multi-gas detector ~~permissible flame safety lamp~~ for methane and oxygen deficiency. In all underground face workings ~~in a gassy mine~~ where electrically driven equipment is operated, examinations for methane shall be made with a multi-gas detector ~~permissible flame safety lamp~~ by a person trained in the use of such multi-gas detector ~~lamp~~ before equipment is taken into or operated in face regions, and frequent examinations for methane shall be made during such operations.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/5.11) (from Ch. 96 1/2, par. 511)

Sec. 5.11. To see that a mine examiner makes the examinations provided in Articles 5, 6, and 31 of this Act, and that he enters his report either by calling the results of the examination to a recorder on the surface or by personally recording the report. The recorder or mine examiner shall record the report in a book or computer system that is ~~thereof~~ with indelible pencil or ink in a well bound or properly protected loose leaf book provided by the operator for that purpose, and the book or computer system shall be secure and not susceptible to alteration.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/6.01) (from Ch. 96 1/2, par. 601)

Sec. 6.01. Each applicant for a certificate of competency as mine examiner shall produce evidence satisfactory to the Mining Board that he is a citizen of the United States, at least 21 years of age and of good repute and temperate habits and that he has had at least 4 years practical underground mining experience, and has been issued a First Class Certificate of Competency by the Department of Natural Resources. He shall pass an examination as to his experience in mines generating dangerous gases, his practical and technological knowledge of the nature and properties of mine gases, the laws of ventilation, the structures and use of multi-gas detectors ~~safety lamps~~, and the laws of this State

relating to safeguards against fires from any source in mines. He shall also submit to the Mining Board satisfactory evidence that he has completed a course of training in first aid to the injured and mine rescue methods and appliances prescribed by the Department. Persons who have graduated and hold a degree in engineering or an approved 4-year program in coal mining technology from an accredited school, college, or university, are required to have only 2 years of practical underground mining experience to qualify for the examination for a certificate of competency.

Persons who have graduated and hold a two-year Associate in Applied Science Degree in Coal Mining Technology from an accredited school, college or university are required to have only 3 years' practical underground mining experience to qualify for the examination for a Certificate of Competency as a Mine Examiner.

(Source: P.A. 89-445, eff. 2-7-96.)

(225 ILCS 705/6.04) (from Ch. 96 1/2, par. 604)

Sec. 6.04. ~~(A)~~ In all ~~gassy~~ mines:

1. When the mine is to be operated, he shall examine the prescribed working places of such mine within 3 ~~4~~ hours before any workers in such shift, other than the examiner or the examiners designated by the mine manager ~~Mine Manager~~ to make the examination, enter the underground areas of the mine. Examine every active working place in the mine and make tests

therein with a multi-gas detector ~~permissible flame safety lamp~~ for accumulation of methane and oxygen deficiency in the air therein; examine intake seals used to ventilate a working section and doors to determine whether they are functioning properly; inspect and test the roof, face, and rib conditions in the working areas and on active roadways and travelways; inspect active roadways, travelways, approaches to abandoned workings, and accessible falls in active sections for explosive gas and other hazards; and inspect to determine whether the air in each split is traveling in its proper course and in normal volume.

2. On non-coal producing shifts, if the mine has a constructed minimum of 120 psi seals, he shall examine the mine in any area where any person is scheduled to work or travel underground. If the mine has less constructed than 120 psi seals, he shall examine the mine in its entirety the same as for a coal producing shift, except where men are to work only in the shaft, slope, or drift or on the immediate shaft bottom, then only that area immediately surrounding the bottom need be examined. If the mine has a minimum of 120 psi seals and the mine has not been examined in its entirety for 7 consecutive days, a full mine examine shall be conducted, including seals and escape ways, prior to anyone other than the examiner or the examiners designated by the mine manager to make the examination enter the underground areas of such mine. If it is known that the air downwind of a minimum 120 psi seals when

tested at a point not less than 12 inches from the roof, face, or rib contains more than 1.0% of methane as determined by permissible methane detector, air analysis, or other recognized means of accurately detecting such gas, he shall examine the mine in its entirety the same as for a coal producing shift, except where persons are to work only in the shaft, slope, or drift or on the immediate shaft or slope bottom, then only that area immediately surrounding the bottom shall be examined.

3. If the mine has constructed a minimum of 120 psi seals, he shall conduct weekly examinations at each seal along return and bleeder air courses and at each seal along intake air courses where intake air passing by the seal is not used to ventilate a working section. If such mine has constructed less than 120 psi seals, he shall conduct a daily examination of each seal along return and bleeder air courses. If it is known that the air downwind of a minimum 120 psi seals when tested at a point not less than 12 inches from the roof, face, or rib contains more than 1.0% of methane as determined by permissible methane detector, air analysis, or other recognized means of accurately detecting such gas, he shall examine each seal along return and bleeder air courses and at each seal along intake air courses where intake air passing by the seal not used to ventilate a working section before the workers of any shift may enter the underground areas of such mine.

4. Conduct weekly examinations of escape ways required by

Sections 19.11 and 19.13.

~~(B) In non-gassy mines:~~

~~1. He shall examine the underground areas in the mine at least once in each calendar day during which coal is produced. Such examination shall be made within 4 hours immediately preceding the beginning of the first coal producing shift on such day.~~

~~2. On idle days he shall examine all sections of the mine where men are required to work.~~

~~3. On idle nights, if the mine has been examined for the day shift and the men are to work in sections previously examined and no coal is to be mined, no further examination shall be required.~~

~~(C) One examination on each day when workers perform production or idle day work shall include the escape ways required by Sections 19.11 and 19.13.~~

(Source: P.A. 81-992.)

(225 ILCS 705/6.05) (from Ch. 96 1/2, par. 605)

Sec. 6.05. When in the performance of his duties, he shall carry with him a multi-gas detector ~~safety lamp~~ in proper order and condition and a rod or bar for sounding the roof.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/6.10) (from Ch. 96 1/2, par. 610)

Sec. 6.10. Upon completing his examination, he shall make a

daily record either by calling out the results of the examination to a recorder on the surface or by personally recording the report. The recorder or mine examiner shall record the report in a book or computer system that is provided by the operator for that purpose, and the book or computer system shall be secure and not susceptible to alteration. The examination report is ~~of the same in a book kept for that purpose,~~ for the information of the company, the State Mine Inspector, and all other persons interested; and this report shall be recorded before the miners are permitted to enter the mine. If the examination report is called out by the mine examiner to a recorder, the recorder must place his signature, certificate number, and date in the book or computer system ~~record shall be made each morning~~ before the miners are permitted to enter the mine. If the examination report is called out, the mine examiner shall verify the report by his signature, certificate number, and date by or at the end of his shift. If the mine examiner finds an omission or error in the report, the report shall be corrected and he must immediately notify the shift mine manager of the omission or error.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/6.11) (from Ch. 96 1/2, par. 611)

Sec. 6.11. Should any dangerous conditions be found as described in Section 6.09, he shall immediately notify the shift mine manager ~~record the same in the daily record book of~~

~~examinations~~, setting forth the nature of the conditions found and the location of same.

(Source: Laws 1955, p. 2012.)

(225 ILCS 705/6.12) (from Ch. 96 1/2, par. 612)

Sec. 6.12. It shall be unlawful for the operator of any mine to have in his service as mine examiner any person who does not hold a certificate of competency issued by the Mining Board except that anyone holding a mine manager's certificate may serve as a mine examiner. ~~The, but in any mine employing more than 25 men,~~ the mine manager shall not act in the capacity of mine examiner while acting as mine manager. However, whenever any exigency arises by which it is impossible for any operator to secure the immediate services of a certificated examiner, he may employ any trustworthy and experienced man of the mine inspection district to act as temporary mine examiner for a period not exceeding 7 days, and with the approval of the State Mine Inspector of the district, for a further period not exceeding 23 days. The employment of persons who do not hold certificates as mine examiners shall in no case exceed the limit of time specified herein, and the State Mine Inspector shall not approve of the employment of such persons beyond the 23 day limit.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/6.15) (from Ch. 96 1/2, par. 615)

Sec. 6.15. ~~A In mines classified as gassy,~~ a sufficient number of men trained in the use of a multi-gas detector ~~permissible flame safety lamp~~ shall be employed by the operator, who shall examine the mine for obnoxious and inflammable gases while men are working therein.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/6.16) (from Ch. 96 1/2, par. 616)

Sec. 6.16. When in the judgment of the State Mine Inspector, expressed in writing to the mine operator, certain sections of a mine generate dangerous quantities of explosive gases, the State Mine Inspector shall require those sections of the mine to be examined for gas in a prescribed manner and at shorter intervals of time than 3 ~~4~~ hours preceding the time the day shift goes on duty for every day in which the mine is to be operated.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/16.11) (from Ch. 96 1/2, par. 1611)

Sec. 16.11. Socketed ropes shall be cut off and resocketed pursuant to the manufacturer's recommendation, if found to be damaged or defective ~~at least once each six months, or more often if necessary,~~ and a notice shall be posted in the engine room giving the date when the rope was installed and when resocketed.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/25.01) (from Ch. 96 1/2, par. 2501)

Sec. 25.01. Multi-gas detectors ~~Not less than two permissible flame safety lamps~~ and a barometer, all in proper working condition, shall be kept available at each mine for the use of authorized persons. Only permissible multi-gas detectors ~~flame safety lamps, permissible methane detectors,~~ or air sampling and analysis shall be used for determining the presence of methane and other gases in mine air.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/25.02) (from Ch. 96 1/2, par. 2502)

Sec. 25.02. Mine ~~In gassy mines,~~ mine officials whose regular duties require them to inspect working places shall have in their possession, when underground, a permissible multi-gas detector ~~flame safety lamp~~ in safe working condition, for the detection of methane and oxygen deficiency.

(Source: P.A. 80-296.)

(225 ILCS 705/25.04) (from Ch. 96 1/2, par. 2504)

Sec. 25.04. All multi-gas detectors ~~safety lamps~~ shall be the property of the operator and when not in use shall remain in the custody of the mine manager or other competent person designated by him, who shall be responsible for the maintenance and calibration of the detectors to ensure that they are in safe working condition ~~clean, fill, trim, examine and deliver~~

~~same, locked and in safe condition to the men when they enter the mine, or at some underground station designated by the mine manager for that purpose. He shall also receive the lamps from the men when they leave the mine or as they pass the underground lamp station at the end of their shift.~~

(Source: Laws 1953, p. 701.)

(225 ILCS 705/25.05) (from Ch. 96 1/2, par. 2505)

Sec. 25.05. The person to whom multi-gas detectors ~~lamps~~ ~~are~~ given shall be responsible for the condition and proper use of the multi-gas detectors ~~safety lamps~~ while in their possession, ~~and their return to the lamp station.~~

(Source: Laws 1953, p. 701.)

(225 ILCS 705/29.01) (from Ch. 96 1/2, par. 2901)

Sec. 29.01. In all mines adequate telephone service or equivalent 2-way communication facilities, including, but not limited to, 2-way text messages, shall be provided at the top and bottom of each main shaft or slope, and from the bottoms to the working sections of the mine. Text messaging communications systems used as communication facilities must be approved by the Department. If text messaging is used, pre-programmed text messages shall be capable of providing information to the surface necessary to determine the status of the miners and the conditions in the mine, as well as providing the necessary emergency response information to the miners.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/31.03) (from Ch. 96 1/2, par. 3103)

Sec. 31.03. In every mine the minimum quantity of air shall not be less than 150 cubic feet per minute for each person employed, measured at the foot of the downcast and of the upcast. However, in any mine wherein explosive gas is being generated in such quantities that it can be detected by a multi-gas detector ~~an approved safety lamp~~, the minimum quantity of air shall not be less than 200 cubic feet per minute for each person employed therein. The State Mine Inspector shall have power by order in writing to require these quantities to be increased.

(Source: P.A. 89-657, eff. 8-14-96.)

(225 ILCS 705/31.04) (from Ch. 96 1/2, par. 3104)

Sec. 31.04. If the air at an underground working face in a mine, when tested at a point not less than 12 inches from the roof, face, or rib, contains more than 1.0% of methane as determined by permissible methane detector, a multi-gas detector ~~permissible flame safety lamp~~, air analysis, or other recognized means of accurately detecting such gas, changes or adjustments shall be made at once in the ventilation in such a mine so that such air shall not contain more than 1.0% of methane.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/31.05) (from Ch. 96 1/2, par. 3105)

Sec. 31.05. If a split of air returning from active underground working places in a mine contains more than 1.0% of methane as determined by a permissible methane detector, a multi-gas detector ~~permissible flame safety lamp~~, air analysis, or other recognized means of accurately detecting such gas, changes or adjustments shall be made at once in the ventilation in such mine so that such returning air shall not contain more than 1.0% of methane.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/31.06) (from Ch. 96 1/2, par. 3106)

Sec. 31.06. If a split of air returning from active underground working places in a mine contains as much as 1.5% of methane as determined by a permissible methane detector, a multi-gas detector ~~permissible flame safety lamp~~, air analysis, or other recognized means of accurately detecting such gas, the employees shall be withdrawn from the portion of the mine endangered thereby and all power shall be cut off from such portion of the mine until the quantity of methane in such split shall be less than 1.5%. However, in virgin territory in mines ventilated by exhaust fans, where methane is liberated in large amounts, if the quantity of air in a split ventilating the workings in such territory equals or exceeds twice the minimum volume of air prescribed in Section 31.02 and if only

permissible electric equipment is used in such workings and the air in the split returning from such workings does not pass over trolley or other bare power wires, and if a certified person designated by the mine operator is continually testing the gas content of the air in such split during mining operations in such workings, it shall be necessary to withdraw the employees and cut off all power from the portion of the mine endangered by such methane only when the quantity thereof in the air returning from such workings exceeds 2%, as determined by a permissible methane detector, a multi-gas detector ~~permissible flame safety lamp~~, air analysis, or other recognized means of accurately detecting such gas.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/31.10) (from Ch. 96 1/2, par. 3110)

Sec. 31.10. If the State Mine Inspector finds methane with a multi-gas detector ~~permissible flame safety lamp~~, permissible methane detector, air analysis, or other recognized means, in the amount of 0.25% or more, in any open workings of such mine when tested at a point not less than 12 inches from the roof, face or rib the mine shall be classified as gassy. Nothing in this Act shall preclude the reclassification of a mine that has been classified gassy if a subsequent examination, made by the State Mine Inspector in the method provided herein, shows the methane content to be less than 0.25%.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/31.30) (from Ch. 96 1/2, par. 3130)

Sec. 31.30. In ~~gassy~~ mines worked by the so-called "enclosed panel system" where rooms are driven off of both sides of the panel entries and ventilated by one side of the panel as the intake airway and the other side as the return, the following shall govern the method of working this type of panel: When the top end or inby end of the panel begins to squeeze, work or more as the result of extraction of coal and the area cannot be examined, men working in the said panel and rooms shall be removed until movement has abated and the presence of gas cannot be detected with a multi-gas detector ~~permissible flame safety lamp~~. However, if in such panels fire, barrier or cutoff pillars are left in the center of the panel of adequate thickness and the entries have been sealed in line with the pillars with adequate roof support on the inby side of the seals isolating the worked out area from the live works, then mining operations may be resumed. This shall not apply to panels worked with rooms on the intake side only, or panels with bleeder entry system whereby the gas released in the squeezed area will not contaminate the ventilating air current used to ventilate active workings within the panel.

(Source: Laws 1953, p. 701.)

(225 ILCS 705/25.03 rep.)

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(225 ILCS 705/25.06 rep.)

(225 ILCS 705/25.07 rep.)

Section 10. The Coal Mining Act is amended by repealing Sections 25.03, 25.06, and 25.07.