



Illinois Department of Natural Resources

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Pat Quinn, Governor
Marc Miller, Director

MINUTES OF MEETING OF ILLINOIS STATE MINING BOARD

INA, ILLINOIS

APRIL 18, 2013

The following State Mining Board members were present:

Jerry Cross
Fred Frederking
Tim Kirkpatrick
Don Stewart
George Teegarden
Dave Webb
Mike Woods, Executive Officer

The meeting was called to order by Executive Officer Mike Woods. A roll call of board members was made with all members present. Having a quorum of board members, Mr. Woods proceeded with the meeting.

The minutes from the October 18, 2012 State Mining Board meeting were reviewed and accepted as presented.

The first item on the agenda was the re-instatement of mine examiner certification for James D. Redmond. Mr. Redmond's certification had been suspended at the April, 2012 board meeting following an issue at the Peabody Energy, Wildcat Hills U/G Mine where Mr. Redmond placed the date, time and initials on mine seals in advance of the required timeframe. The Board at the April, 2012 meeting stated the suspension would be for one year and Mr. Redmond would be eligible for reinstatement upon his appearance at the Board's April, 2013 meeting. Mr. Redmond stated he was not currently employed at a coal mine and did not have any intentions of returning; however, he needed his certification reinstated. Board members discussed briefly the situation surrounding the suspension. Board member Teegarden made a motion to reinstate Mr. Redmond's mine examiner certification with second by Board member Webb and motion passed unanimously.

The second item on the agenda was a presentation by Frank Stevens, construction manager, for Cowin and Company, Inc. regarding development of a bleeder shaft for M-Class Mining, LLC, MC #1 Mine. This shaft would be similar to other shafts developed by Cowin. Depth to the coal is approximately 908 feet. The shaft collar will be approximately 20 feet deep and the soil will be removed with an excavator. Mr. Stevens briefly described the methods for excavating rock material, setting of headframe, pouring of concrete liner, water ring development and the hoisting system (Timberland hoisting system previously used at the Deer Run shaft development project). Mr. Stevens was asked if the shaft was being developed into existing mine works. He stated the shaft was in advance of mining and M-Class would mine to the completed shaft. Cowin would set block stopping that M-Class would mine through. Everything was similar to the 30 foot diameter shaft previously approved by the board for this mine only at a narrower diameter. Board member Cross made the motion to accept the plans with second by Board member Stewart and passed by unanimous vote.

The next item was the presentation by White Oak Resources of its Emergency Response Plan. Keith Roberts and Steve Rowland appeared before the board in behalf of White Oak Resources and presented to the board information on SCSRs, Rescue Chambers and wireless communication and tracking. All employees would wear the Ocenco M-20. 1-Hour SCSRs would be located at various locations as needed. However, what was unique at this mine was the utilization of Draeger's PAS Lite SCBA's, which is similar to fire department SCBA units, as the mine's primary 1-hour unit. This system has been approved for use underground by MSHA and would enable a miner, who is evacuating the mine, to re-charge their SCBA without having to remove the SCBA. Utilizing a quick connect hose the unit can be re-charged in less than 20 seconds. Draeger Charge Air Refill stations would be located along the mine's escapeways. Another unique feature to the SCBA system is the face piece is similar to those used by mine rescue teams thus reducing the risk of a miner breathing in toxic mine atmosphere. Several board members asked questions about the Draeger system. Mr. Rowland indicated since the units were re-usable actual training could be conducted on the units thus giving increased confidence to miners in their use and the abilities of the unit. They weigh 12 lbs and are worn on the back similar to fireman's SCBAs. These devices have multiple uses as they are rated for use in fire fighting. They use a positive pressure system for administering oxygen. Board member Kirkpatrick stated he has worn the unit and felt they were easier to use than the four hour mine rescue SCBAs. Board member Stewart made the motion to accept the Emergency Response Plan as presented by White Oak Resources with second by Board member Cross and motion unanimously adopted.

An update on the state's coal mine electrician program was the next item as Larry Jenkel, State Mine Inspector Electrical, indicated that Senate Bill 2255 would give the agency authority to issue coal mine electrician certification. Board member Cross asked about current MSHA qualified electricians working in the state and Larry stated they would be grandfathered in under the new program. Qualified MSHA electricians from another state would be required to take a short examination on state laws/regulations and arc flash. Several board members asked questions on how the program would certify new people and Larry briefly outlined some components of the program; such as the one year experience log requirement, the apprenticeship program, and the three part examination. The state examination would not mirror MSHA's examination which appears to be geared more toward electrical engineers. Board member Teegarden asked about why the separate classifications, Mr. Jenkel stated the classifications were based on an individual's electrical experience; such as, surface only, underground only or

electrical experience both on the surface and underground. The board also asked several questions regarding the state certifying electrical instructors. Board member Stewart expressed his concern over who would step in if Mr. Jenkel suddenly became unavailable and Executive Officer Woods stated a system was in place to address that concern as other inspectors either were qualified or would become qualified to assist in the program. Butch Oldham recommended that a study guide be made available to applicants, which Mr. Jenkel indicated the agency had acquired Kentucky's study guide and was in the process of modifying the guide to reflect Illinois regulations and laws. Executive Officer Woods indicated the agency would pull together the various components of the new program and bring them before the board for further discussion.

The next discussion item Article 11, mine rescue, and Mr. Woods stated there is pending legislation for Article 11 and the agency is working with several people and groups to get it right. We want legislation that is doable for both OMM and the industry. Jim Hafliger, OMM Mine Education and Operations Supervisor, added that several questions and concerns still need addressed and must look within the scope of Article 11 and possibly develop language to address these situations that currently are not addressed in the article.

Next the board discussed the proposed legislation allowing a mine examiner to call out his or her pre-shift examination. Executive Officer Woods stated that a party finds anything disagreeable in the Act they have options, which legislative action is one of them. Board member Cross voiced his opposition to calling out the mine examiner's examination and it should be left alone. Executive officer Woods stated the Board had authority to interpret the Act and not make laws so will have to wait and see what transpires pursuant to this proposed legislation.

The final item on the Board's agenda was a discussion on recent continuous miner operator fatalities where individuals were in the red zone and were struck by the continuous miner. Executive Officer Woods stated this was an important issue to him and he stressed the importance of staying out of the red zone and that behavior has to change regarding working around the red zone. He indicated coal operators need to be aware that if state mine inspectors catch anyone in the red zone they will be taken out of the mine. Also, if a section foreman is seen observing someone in the red zone he will be taken out and his papers suspended and will be required to come before the Board to explain why he should get his certification reinstated.

Discussion followed Executive Officer Woods comments as to what steps or action should be taken to eliminate the risk to continuous miner operators as they move the miner. Board member Stewart was especially concerned about the fatal accidents involving inexperienced miner operators and how assistance is needed to both educate these individuals and take steps to prevent the miner operators from getting in the red zone.

Tony Mayville, Supervisor for Mine Safety and Enforcement, stated to help reduce the risk, two miners should be involved anytime the continuous miner is not cutting coal and is moving to a new location or being re-positioned in the face area. Mr. Mayville indicated the second person should be on the miner cable during a move and provide other assistance as needed. After discussion by the Board on Mr. Mayville's recommendation, Executive Officer Woods stated Mr. Mayville's recommendation would be followed and anytime a miner is tramming there will be a person assisting and after the move is completed the second person can return to his or her job. The Board agreed this recommendation should be immediately implemented. Proximity detection was briefly discussed as the technology is developing both for continuous miners and for other face equipment. The Board agreed that if a mine operator

was utilizing proximity detection technology on a continuous miner the new recommendation was not required.

Board member Cross made motion to adjourn with second by Board member Teegarden and motion passed.

Executive Office Woods asked for a motion to go into executive session and which was made by Board member Cross with second by Board member Stewart and motion passed.