



Illinois Department of Natural Resources

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Bruce Rauner, Governor

Wayne A. Rosenthal, Director

MINUTES OF MEETING
OF
ILLINOIS STATE MINING BOARD
BENTON, ILLINOIS
JANUARY 4, 2017

The following State Mining Board members were present:

John Duty
Larry Jones
Randy Lewis
Tom Smith
Jim Steiner
Steve Willis
Jim Hafliger, Executive Officer

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

The minutes from the October 20, 2016 State Mining Board meeting was reviewed and accepted as presented.

The first item of discussion pertained to the recently enacted changes to the Illinois Coal Mining Act through Public Act 99-538. Agency staff and coal industry persons were requesting clarification on some of the changes to the Act.

Section 5.09(4) and 5.09(5) states, “a certified mine examiner conduct weekly examinations of seal...” and “a certified mine examiner conduct weekly examinations of escape ways...”

Questions were being raised whether weekly was to be interpreted as within a 7 day timeframe or within a given week. Some felt if within a given week was the interpretation, the period between examinations could extend for example to 11 or 12 days. Following a discussion on the intent of the new law. Board member Steiner made a motion that “weekly” as referenced in Section 5.09(4) and 5.09(5) would not exceed a seven days. Board member Lewis seconded the motion and passed unanimously.

The next question also was related to 5.09(4) as the section states “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....” Does the reference of “each seal” in this section inclusive of 120 psi seals or only those constructed at less at 120. This would especially come into play when there is a combination of 120 psi and seals less than 120 psi. Again following a discussion by the board, Board member Steiner made a motion that this section means a mine will examine all 120 psi seals on a weekly basis and seals that are less than 120 psi on a daily basis; Board member Willis seconded the motion and was unanimously adopted.

The final question pursuant to 5.09(4) related to the following; , “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% 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.” Executive Officer Hafliker said the key word that needs interpretation is downwind. How far is downwind, is it at the return air shaft or just downwind of the seal? Board member Willis indicated that he has heard individuals say it should be at the first intersection outby the seal where the air mixes but he felt due to possible turbulence at that point one may not be getting a true reading. He thought going one more crosscut outby would allow the gas to dilute and would give one a more true reading. Mr. Willis felt it is obvious the Board must come up with a distance to take a reading that has allowed the air an opportunity to dilute. A question was asked, due to the varying sizes of pillars, that instead of designating the number of crosscuts downwind possibly it should be footage downwind. It was agreed the better method would be to stay with the crosscut designation. Discussion followed as to whether two crosscuts would be sufficient to dilute the air and give a true reading of the mine atmosphere and the opinion of the board members was that this was sufficient distance. A question was asked as to how this distance would relate to a seal located several crosscuts in from the air course. It was agreed that this distance should begin at the intersection where the seal air mixes with the return air. Having no further discussion Board member Duty made a motion the test required in Section 5.09(4) will be conducted two crosscuts downwind from the intersection of the last seal in the return air course. A second to the motion was made by Board member Jones and passed unanimously.

The last question concerning the new law was section 29.01 pursuant to the text messaging, especially regarding pre-programmed text messages. The new law states that text messaging systems must be approved by the Department and the Executive Officer asked the Board if a company chooses to go with this type of communication system, are the pre-programmed message part of the approval process? Discussion followed on pre-programmed messages and the intent of having text messaging. Following statements by several board members, it was a consensus of the Board there was no need for action on this issue but stated that if any mine utilized a text message communication system, information on the system must be provided to the Department. If the Department has any issues concerning an operator's text message communication system, it can be brought before the Board for discussion.

The next agenda item pertained to Mining Board decision on March 16, 1987 that required a person wait 90 days before re-taking an examination. This ruling was made to prevent a person from taking an examination in Springfield, failing the examination, and traveling to Rend Lake College later in the week to re-take the same examination. The agency has several certificates of competency where-in the examination is not given semi-annually, instead are administered on an "as-needed" basis. These certificates of competency are Coal Mine Electrician, Independent Contractor Supervisor, General Surface Supervisor, Surface Supervisor, Shaft/Slope Examiner and Shaft/Slope Supervisor. The 1987 ruling's timeframe is too long for these certificates, especially coal mine electrician where a person is required to pass 8 separate parts to the exam and is allowed two more opportunities to retake and pass any failed parts of the exam. The Board agreed a shorter waiting period was needed and Board member Lewis made the motion that the wait period for Coal Mine Electrician, Independent Contractor Supervisor, General Surface Supervisor, Surface Supervisor, Shaft/Slope Examiner and Shaft/Slope Supervisor be 30 days. Second by Board member Smith and passed with a unanimous vote.

Having no further business Board member Steiner made a motion to adjourn, second by Board member Willis and motion passed.