



Illinois Department of Natural Resources

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Bruce Rauner, Governor

Wayne A. Rosenthal, Director

MINUTES OF MEETING
OF
ILLINOIS STATE MINING BOARD
INA, ILLINOIS
OCTOBER 19, 2017

The following State Mining Board members were present:

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

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

The minutes from the April 20, 2017 State Mining Board meeting was reviewed and accepted as presented.

The first item of discussion was an issue that pertained to the requirements found in the agency health and safety regulations 220.140 Man Hoisting. Misselhorn Welding and Machinery was performing work at Illinois coal operations that involved hoisting workers in a basket that is pinned to the point of the boom. This type of hoist is different from what is typically used in the Illinois coal industry where a rope hoist with various safety features; such as a brake and overwind protection is used for raising and lowering basket or platform workers is with. The agency was in the process of certifying the crane operators as required in 220.190 dd but was

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hesitant to do so until the Mining Board had an opportunity to provide the agency guidelines in respect to the fabricated basket.

David Misselhorn from Misselhorn Welding and Machinery addressed the board regarding the company's crane and basket. He presented to the Board members information about the hydraulic crane and fabricated basket and pre-shift and pre-lift inspection forms. Mr. Misselhorn stated the basket was built to the parameters outlined by National Crane and all personnel involved with the crane would follow OSHA's standards concerning personnel lift platforms. Following questions by the Board members to Mr. Misselhorn and Inspector-at-large Bill Patterson and State Mine Inspector Colombo, the board granted approval to Misselhorn Welding and Machine to operate a crane with basket attached/pinned to the boom if it complies with the following; the fabricated basket assembly is certified by a professional engineer, crane and basket are inspected and certified annually by an outside entity qualified to do said inspection, and workers have a tie-off for fall protection equipment located on the crane's boom.

The next agenda item was a review of recent mining board rulings and recent legislative changes from Public Act 99-0538. The agency has had a few issues and it was felt this was a good opportunity to get some feedback from both the Mining Board and industry representatives. Bill Patterson was asked to address the Board and he indicated even though the call-out of pre-shift examinations was not a serious problem there has been issues the agency has had to address. The biggest issue involved the recorder failing to either sign the pre-shift book or not adding his certificate number. The number of incidents that involve the failure to sign or add certification number is decreasing but has not totally been eliminated. Also, Mr. Patterson indicated mine inspectors have found on a number of occasions a section foreman, who are now conducting pre-shift examinations, had failed to D & I the areas he had examined. Every mine has submitted to Mr. Patterson a plan as to how they would comply with the new legislation on pre-shift call-outs and the agency expects the operators to follow this plan. After a discussion by Board members on what was expected by the Board when this legislation was proposed it was a consensus of the Board to elevate this issue on pre-shift callouts and put those involved in pre-shift examinations and receipt of callouts on notice.

The next item for discussion was the Coal Mine EMS System. Executive Officer Benner has received several calls from the industry regarding implementing a first responder medical program. Mr. Benner stated this is not something the agency was willing to initiate but if the industry wanted to incorporate first responders into the EMS program then they must be the one to initiate it and be the driving force. He asked if there was anyone from the industry who could address this topic. Bruce Waldman, safety director for Peabody Midwest Mining, Gateway Mine, indicated he had a few comments as well as some handouts for the Board members.

Mr. Waldman read an excerpt from the Coal Mine Medical Emergencies Act and stated while the law only requires one EMT on mine property it is becoming harder for operators to have enough for even the minimal coverage. The industry is seeing a reduction in EMTs as the mines are seeing many EMTs either retire or leave the industry. He stated it also appears to have become more difficult to become an EMT as the failure rate for the EMT examination has drastically increased over the past several years. Mr. Waldman indicated he had worked in Indiana for several years prior to coming to the Gateway North Mine and Indiana has a first responder

classification for medical services. Mr. Waldman briefly described the certification process in Indiana for first responders as the program has an eighty hour initial course, pass a test and receive 20 hours of continuing education every two years to retain certification. This training gives first responders basic first aid skills; such as, accessing injuries, control bleeding, immobilize fractures and package an injured miner for evacuation from the mine. Other states, Kentucky and West Virginia, also have a similar medical first responder classification. While Illinois does not have to follow what other states do in respect to medical services he did want to pass out the standards and requirements for several other states.

Mr. Waldman stated that currently his mine is having difficulty getting miners to take the EMT initial class as he felt several miners were concerned they would be unable to pass the examination. The incorporation of first responders into Illinois mines would result in more miners available who has some advanced first aid training versus very few trained as EMTs.

While he did not have a proposal to submit the board, he believed steps should begin to implement this program.

Mr. Misselhorn addressed the board indicating he was a first responder for a fire department in Jackson County and the first responders for the fire department were trained in basic life support and lifesaving skills, which they have used numerous times while waiting on an ambulance.

Board member Willis stated how would this work legislatively and Executive Officer Benner indicated that the Coal Mine Emergencies Medical Act requirement for one EMT on property would not change even if first responders were added.

Board member Lewis raised his concern over having individuals who receive less training could create problems for EMTs as to the treatment of an injured person. He personally had an experience of a non-trained person interfering with his treatment because he had seen it done differently on TV. Mr. Lewis would love to have the assistance as long as they understand what their level of training and skills.

Executive Officer Benner indicated there were protocols for Illinois' EMT program and currently there is not a category recognized in the coal industry for first responders. If we did establish a first responder classification there would need to be protocols established that would outline the requirements for having first responders within the industry. He stated the agency does not have the ability to make the changes that would incorporate first responders, but it is in Board's ability to see if this is something we should pursue and start setting up protocols for first responders. Information could be gathered relative to this issue and possibly brought before the Board in April to determine if the Board and the agency should move forward with first responders.

Don McBride stated the agency looked at this issue a few years back as they contacted Kentucky, which had an EMT and MMT program. A miner could train and become either one but the MMT program was administered by the mining agency. The curriculum and test was

administered by the Kentucky mining agency. The agency chose not to pursue establishing MMTs in Illinois.

Chief Clerk Art Rice reminded the Board that if they choose to go with first responders that it could be incorporated through rulemaking especially on how the program would be set up.

Executive Officer Benner indicated there was a consensus among the Board for pursuing this issue and should be looked at closer and be brought up again at the next meeting in April.

Final agenda item was a summary of violations for the first nine months of 2017 with a comparison of the same period in 2016. Bill Patterson briefly described these results, for example, the increase in violations regarding examiner books. It was pointed out the percentages between the two years is similar with the exception of violations for pre-shift examinations. There has been a decrease in number of inspectors from 2016 but also a decrease in operating mines.

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