

Safety in the Spotlight

The MINER Act and its implementation





**VIRGINIA ACTS OF ASSEMBLY
-- CHAPTER**

An Act to amend and reenact § [45.1-161.202](#) of the Code of Virginia, relating to Emergency Response Plans for underground coal mines.

Be it enacted by the General Assembly of Virginia:

1. That § [45.1-161.202](#) of the Code of Virginia is amended and reenacted as follows:

§ [45.1-161.202](#). Emergency response plans; list of next of kin.

- A. Operators shall develop an emergency response plan for each mine. The plan shall include (i) ~~fire~~ **mine emergency communication plan**, (ii) an evacuation procedure, (iii) the identification of waterlines, (iv) the number system of brattice, (v) the location of escapeways, and (vi) such other information ~~relating to fire evacuation planning~~ **as the Chief may reasonably require**.

- B. The operator shall maintain a list of the next of kin of all miners employed at the mine. The list shall be kept at the mine site or at a central facility readily accessible to the mine.**
- C. An emergency response plan shall be subject to approval by the Chief or mine inspector. The Chief may require periodic updates to an operator's emergency response plan. Operators shall comply with the requirements of the approved plan.**
- D. The emergency response plan shall be posted in a conspicuous manner and place, readily accessible to all miners, underground and at the surface of the mine.**
- E. The operator shall train miners in the implementation of the emergency response plan and shall conduct practice drills. Records of dates and times of practice drills shall be maintained in the emergency response plan.**
- F. Each miner employed by the operator who goes underground and each visitor authorized to enter the mine by the operator shall have available a an adequate supply of self-rescue device or devices, each of which provide provides on hour or longer protection and are is approved by the Mine Safety and Health Administration. The training related to self-rescue devices shall be included in the emergency response plan approved by the Chief.**

- 2. That the Department of Mines, Minerals and Energy shall assess wireless communication and miner locator systems to determine their effectiveness and availability. Upon conclusion of the assessment, the Department shall prepare a report of the findings and recommendations resulting from the assessment and provide copies of the assessment to the Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources. Following submission of the assessment to the committee chairmen, the Chief of the Division of Mines may require the use of such systems as part of the operator's mine emergency response plan.**
- 3. That an emergency exists and this act is in force from its passage.**



DESIGN



ERP – The Process

- **Coordination**
- **Co – Creation**
- **Cooperation**

“Design The Best Plan For Each Mine, One That Complements and is Functional Within The Mining Process.”



COMMONWEALTH OF VIRGINIA

Department of Mines, Minerals and Energy

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MEMORANDUM DM- 06-03

TO: All Underground Coal Mine Operators

FROM: 
Frank A. Linkous, Chief

SUBJECT: Emergency Response Plans

DATE: April 4, 2006

On March 30, 2006, the Governor signed House Bill 1443 which amended Section 45.1-161.202 of the Virginia Coal Mine Safety Act addressing Emergency Response Plans (ERP). This amendment became effective immediately upon the Governor's signature and provides for the following changes to emergency response plans:

- Mine ERPs must include mine emergency communication provisions;
- Mine ERPs must address such other provisions as the Chief may reasonably require;
- The Chief may require periodic updates to an operator's ERP;
- Operators must comply with the requirements of the approved plan; and
- Mine ERPs must address provisions of an adequate supply of approved self-rescue devices, each of which provides an hour or longer protection.

Further, the Department of Mines Minerals and Energy (DMME) is to assess wireless communication and miner location systems to determine their effectiveness and availability. The findings and recommendations resulting from this assessment will be reported to the General Assembly. Following the submission of the report, the Chief of the Division of Mines may require the use of such systems as part of the operator's mine emergency response plan.

In order to implement the requirements of HB 1443, all licensed underground coal mine operators must submit an amended ERP, for approval by the Chief, which addresses required changes. These amended plans must be received by the Division of Mines at the Big Stone Gap or Keen Mountain office no later than Monday, May 15, 2006.

Focus

- I. Mine Emergency Communications
- II. List of Next of Kin
- III. Waterlines
- IV. Brattices
- V. Escapeways

Focus

VI. Lifelines

VI. Detectors

VI. Barricade Material

VI. SCSR Storage

VI. SCSR Training

Focus

XI. Mine Emergency Evacuation & Firefighting Training

XI. Evacuation Procedures

XI. Emergency Logistics (Complete with mine specific information)

XI. MERD

REVIEW



Reviewing and Measuring ERP Effectiveness



**MINE EMERGENCY
PREPAREDNESS EVALUATION
PROGRAM**

“Opp

ment

CONTINUING OBLIGATION



C

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8/28/2003

Our Continuing Obligation

*Network to inform of innovations,
successes/failures*

- **Bulletins/Newsletters/E-Mail**
- **Virginia Problem Solving Group**
- **Inspection and . . .**

Our Continuing Obligation

Develop Emergency Response Leaders

- **Key Focus on Mine Foremen/Managers
(2007 VA Continuing Education)**
- **Promote MERD Exercises
(Mine Level)
(DMME/MSHA)**

Our Continuing Obligation

Be Conscious to “Do No Harm”

- **As Regulations Seek Opportunities To Be Flexible, Reasonable and Responsible**
- **Make Emergency Response More Than A Plan – Make It A Dynamic Part of the Mining Process**

**THANK
YOU**