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HOUSE BILL NO. 1443

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources on February 8, 2006)

(Patron Prior to Substitute—Delegate Phillips)

A BILL 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) a 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 adequate supply of self-rescue device or devices, each of which provide provides one 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.

HOUSE SUBSTITUTE

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