

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
UNITED STATES DEPARTMENT OF LABOR
MINE SAFETY AND HEALTH ADMINISTRATION
AND THE
OFFICE OF MINES AND MINERALS
ILLINOIS DEPARTMENT OF NATURAL RESOURCES

State of Illinois

Coal Mine Electrical Certificate of Qualification Program

The following program for qualifying persons as coal mine electricians is administered by the Illinois State Mining Board in the Illinois Department of Natural Resources, Office of Mines and Minerals (OMM), under authority granted in 220 Ill. Comp. Stat, 705/2.01 and Ill. Admin. Code tit. 62, § 220.50(e) and MSHA's authority under 30 U.S.C. § 801 *et seq.* and 30 C.F.R. §§ 75.153(a) and 77.103(a). This electrical qualification program as described below is approved by the Mine Safety and Health Administration (MSHA), United States Department of Labor. This agreement will become effective when signed by all parties and run indefinitely, unless terminated with the mutual consent of the parties or by one party upon thirty days' written notice to the other party. This agreement creates no private right of action against the Federal Government or the State of Illinois. This agreement creates no rights in any third party. This agreement will not be construed as obligating Federal funds. Nothing in this agreement obligates MSHA to expend appropriations or enter into any contract or other obligations. Nothing in this agreement shall limit, supersede, or otherwise affect MSHA's or the State of Illinois' normal operations or decisions in carrying out its statutory or regulatory duties. This agreement does not limit or restrict the parties from participating in similar activities or arrangements with other entities.

1.0 General:

- a) A number of MSHA mandatory safety standard applicable to underground and surface coal mines and Illinois rules and regulations restrict the performance of electrical work to qualified persons. Under MSHA standards, one method for becoming a qualified person to perform electrical work is through a state program approved by MSHA..
- b) The Illinois State Mining Board shall hold examinations for individuals qualified to perform work as outlined in the Coal Mining Act at 225 ILCS 705/40.01 *et seq.* including coal mine electricians. Examinations are conducted under the authority of the State Mining Board on a regular basis. The State Mining Board has the authority to implement and administer this electrical qualification program for the State of Illinois. OMM will

act in behalf of the State Mining Board in the administration of the electrical qualification program.

- c) OMM and MSHA shall confer as needed to maintain consistency with State and Federal requirements and compliance with the provisions of this program.

2.0 Categories of Qualification:

- a) Coal Mine Electrician – Surface Only
- b) Coal Mine Electrician – Underground Only
- c) Coal Mine Electrician – Surface and Underground

3.0 Eligibility:

To be eligible for qualification as a coal mine electrician, applicants must submit evidence of at least one year of experience in performing electrical work in a coal mine or acceptable related industry to the State Mining Board and MSHA's District Manager. The evidence must include details of electrical work, including but not limited to; dates of work, work performed, and types of equipment upon which electrical work was conducted and the names of persons supervising the work.

- a) Applicants must submit all evidence of eligibility at least 30 days prior to the scheduled examination.
- b) Applicants are eligible to take the Illinois Mine Electrical Examination if, at the time of application, they:
 - 1. are classified, by Illinois, as an Apprentice Mine Electrician and have met the requirements for an apprentice or
 - 2. possess a Bachelor of Science Degree in electrical engineering and provide proof of electrical experience or
 - 3. are qualified as an Illinois mine electrician but have not taken the examinations required in 30 CFR §§75.153(a)(3) and 77.103(a)(3).
- c) The State Mining Board and MSHA must be in agreement regarding applicant's qualifications.

4.0 Examination

All applicants seeking to be qualified as a coal mine electrician shall take an examination administered by the State Mining Board. The examination will be in three parts; written, oral and practical. The written examination is comprised of questions randomly selected from a database. MSHA shall be given the opportunity to review the examination question database and the procedures for oral and practical examinations.

OMM will retain the completed examinations for a minimum of two years from the date the applicant achieved a passing score on all examinations.

The examination for Coal Mine Electrician – Surface Only, will include the following seven categories:

- a) Direct current theory and application
- b) Alternating current theory and application
- c) Electric equipment and circuits
- d) Permissibility of electric equipment
- e) Applicable Sections of National Electrical Code
- f) Requirements of Subparts F through J and S of 30 C.F.R. Part 77
- g) Relevant Illinois laws/regulations and arc flash prevention

The examination for Coal Mine Electrician – Underground Only, will include the following seven categories:

- a) Direct current theory and application
- b) Alternating current theory and application
- c) Electric equipment and circuits
- d) Permissibility of electric equipment
- e) Applicable Sections of National Electrical Code
- f) Requirements of Subparts F through K of 30 C.F.R. Part 75
- g) Relevant Illinois laws/regulations and arc flash prevention

The examination for Coal Mine Electrician – Surface and Underground, will include the following eight categories:

- a) Direct current theory and application
- b) Alternating current theory and application
- c) Electric equipment and circuits
- d) Permissibility of electric equipment
- e) Applicable Sections of National Electrical Code
- f) Requirements of Subparts F through K of 30 C.F.R. Part 75
- g) Requirements of Subparts F through J and S of 30 C.F.R. Part 77
- h) Relevant Illinois laws/regulations and arc flash prevention

5.0 Scheduling:

The State Mining Board shall establish an examination schedule. Examinations shall be conducted at least twice a year and public notice will announce the time and place of the examinations. Additional examinations will be scheduled if needed. MSHA shall be notified at least 15 days prior to any examination date to monitor or assist.

6.0 Conditions:

- a) Examinations and exam question database are under the exclusive control of OMM. Completed exams will be collected and secured; no completed or blank written examinations will be allowed to be taken from the testing facility.
- b) Candidates for examination must provide photo identification prior to taking the examination.
- c) Candidates taking the examination shall be provided a pencil, and paper which must be returned after the test.
- d) A scientific calculator (with memory cleared) is permitted.
- e) The practical and oral examinations may be administered on another date.

7.0 Scoring:

- a) Candidates must achieve in the written examination a minimum score of 80% on all categories of the written exam and pass the oral and practical examinations to receive a Coal Mine Electrical Certificate of Qualification.
- b) Candidates failing to achieve 80% on any portion of the examination will be given two additional opportunities to retake and pass the failed portion(s). Candidates failing the practical or oral examination will be given one additional opportunity to pass the failed examination.
- c) Candidates failing to achieve a passing grade on the written, practical or oral examinations, after the allotted number of opportunities to retake the examination, will be required to retake all of the examinations to become qualified as a coal mine electrician.

8.0 Qualification Cards:

- a) OMM will issue the appropriate Illinois electrical qualification card to successful candidates and submit candidates' names to MSHA in order for MSHA to issue electrical qualification cards.
- b) To maintain Illinois electrical qualification, an individual must annually complete an Illinois-approved eight (8) hour electrical refresher class provided by an Illinois-approved electrical instructor. In order to maintain MSHA electrical qualification, this refresher class also must be provided by a MSHA-approved electrical instructor and MSHA-approved under 30 C.F.R. §§ 75.153(g) and/or 77.103(g) and the individual must certify class completion annually to the District Manager.

9.0 Points of Contact:

For the State of Illinois:

Jim Hafliger
Office of Mines and Minerals
Illinois Department of Natural Resources

One Natural Resources Way
Springfield, Illinois 62702
217-782-5832
E-mail: jim.hafliger@illinois.gov

For MSHA:

Steve Gigliotti
Chief of Safety for
Coal Mine Safety and Health Administration

1100 Wilson Blvd
Arlington, VA 22209
202-693-9479
E-mail: gigliotti.stephen@dol.gov

The parties shall refer all conflicts that arise under this agreement to the respective point of contact for resolution. If a satisfactory resolution cannot be reached at this level, the parties will refer the matter to the signatories.

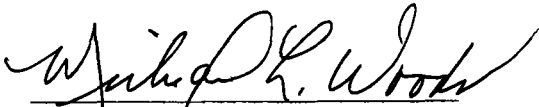
10.0 Reciprocity:

Certificates of Coal Mine Electrical Qualification will be issued to holders of a current coal mine electrical qualification from another MSHA approved State program or holders of a MSHA electrical qualification card. Such reciprocity will only be granted upon request to the State Mining Board following a successful examination on the specific Illinois laws/regulations and arc flash portion of the exam.



Joseph A. Main, Assistant Secretary
For Mine Safety and Health

Date 4-29-2013



Michael L. Woods, Office Director
Office of Mines and Minerals
Illinois Department of Natural Resources

Date 4-23-13