



# Mining Accident News No.1003

1 to 12 February 2010

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Monday 1 February 2010

## USA: New Details in Mine death

*Extract from kulr8.com, USA*

BILLINGS - New details emerge Monday almost a month after an accident claimed a miner's life at Signal Peak Mine.



Fifty-seven-year-old Rudy Lindstrom was killed when a truck he was working under was accidentally thrown into gear, this from the Mine Safety and Health Administration's preliminary report.

The report said a co-worker was assisting Lindstrom and started the vehicle. When his foot slipped from the clutch, it lurched forward falling off the jack stand, striking Lindstrom.

The fatality was the first of the year for the coal mining industry. One other has since been reported. Officials with the Mine Safety and Health Administration said it could be weeks before the investigation is finalized.

Signal Peak has not returned multiple requests for information.

## USA: Aracoma fire survivors win round in Massey court battle

*Extract from the Charleston Gazette, USA*

CHARLESTON, W.Va. -- Survivors of the 2006 fire at the Aracoma Alma No. 1 Mine have won a major round in their court battle with Massey Energy.

Late last week, Logan Circuit Judge Roger L. Perry ruled that nine miners who escaped the fire had proven four of the five key elements to making a case against Massey's Aracoma Coal Co. subsidiary.

In a series of three rulings issued Jan. 27, Perry also declined to throw out the miners' effort to sue the Massey parent company over the fire.

Two miners, Ellery Hatfield and Don Bragg, died in the Jan. 19, 2006, fire. Their families settled a lawsuit filed against Aracoma Coal. Details of the deal have not been disclosed.

Nine miners who escaped the fire also have sued Massey and Aracoma. Generally, they allege that inhaling smoke from the fire caused long-term health concerns, and that the experience has caused them to suffer physical and emotional injuries.

In order to sue their employer, Aracoma Coal, successfully, the miners must meet the five-part

**NOTE:** Views expressed in this newsletter are those of the individual sender, and are not necessarily the views of Industry & Investment NSW.

test spelled out in West Virginia's "deliberate intent" statute. Those parts include: There was an unsafe working condition that could cause death or injury, the employer knew of that condition and the risk it posed, the unsafe working condition was a violation of state or federal or industry standards, the employer intentionally exposed workers to that unsafe condition, and the employee suffered serious injury as a result.

Perry ruled that the miners had met the first four parts of that test, citing federal and state citations and Aracoma Coal's guilty plea to criminal mine safety violations that caused the fire and the fatalities.

"Aracoma's conduct in this case is clear and uncontroverted," Perry wrote. "Given the voluntary admissions of guilt, it is clear not only that Aracoma acted with deliberate intent regarding the unsafe working conditions in its coal mine, it acted with criminal intent."

Among other findings, Perry noted that the company's expert witness in the case, Joseph Overbay, testified in a deposition that he would not contradict the state or federal findings or any of the wrongdoing Aracoma pleaded guilty to in its deal with federal prosecutors.

Under Perry's ruling, the miners now have to prove only one other element to make their case against Aracoma Coal: That they suffered serious injury in the fire.

And the judge also rejected the company's argument that the miners could not, as a matter of law, prove that they had been seriously injured. That allows lawyers for the miners to take that issue to a jury and seek damages from Aracoma and from Massey.

In allowing the miners to pursue their case against the Massey parent company, Perry noted a widely publicized Oct. 15, 2005, memo in which Blankenship told mine superintendents to ignore other issues and "run coal."

Massey has pointed to a follow-up memo dated Oct. 26, 2005, in which Blankenship said the

earlier memo should not have been misconstrued to mean that safety was a "secondary responsibility."

But Perry ruled that the second memo could be used as evidence to try to convince a jury that Blankenship, as CEO of Massey, was controlling day-to-day matters at the Aracoma Mine.

"The fact that the second memo needed to be transmitted supports the contention that Aracoma management would have received the first memo and taken action upon the directives of the memo. The Court does not herein find that Mr. Blankenship exercised inappropriate control over Aracoma, but that such an interpretation is possible," the judge wrote.

Tuesday 2 February 2010

## **USA: MSHA launches new safety initiative**

*Extract from the Houston Chronicle, USA*

CHARLESTON, W.Va. — The federal Mine Safety and Health Administration says it's starting a program aimed at preventing fatal accidents.

MSHA says the Rules to Live By program will focus on the most common violations cited during fatal accident investigations. The agency said Tuesday the program will include outreach to the industry and targeted enforcement by its inspectors.

According to MSHA, a review of nine years of data showed falls, roof and wall collapses, heavy equipment and poor maintenance, among other things. The agency found West Virginia was the deadliest mining state during that period with 94 fatalities, followed by Kentucky with 78.

MSHA says it plans to formally start the program Feb. 11 in Austin, Texas, and Feb. 12 in Charleston.

## 4 killed in Ukraine mining accident

*Extract from Taiwan News*

News reports say four people have been killed in an explosion at a coal mine in eastern Ukraine.

The Interfax news agency cites officials in the Krasnoluchsky town council as saying one body has been pulled from the rubble.

The RIA-Novosti news agency also reported the explosion, which took place Thursday morning at the Zaporozhskaya mine in the Lugansk region.

The reports gave no details about the cause of the blast.

Outdated equipment and poor safety standards make Ukraine's coal mines among the world's most dangerous. Officials say three miners die for every 1 million tons of coal brought to the surface.

### Quote of the week



"The secret to success is to own nothing, but control everything."

Nelson Rockefeller, (41<sup>st</sup> Vice President USA, 1908-1979)

Thursday 4 February 2010

## Eight Dead in Peru Mining Accident

*Extract from Latin American Herald Tribune*

LIMA – Eight workers died in an accident at a coal mine in the northern Peruvian province of

Oyon, the official Andina news agency said Wednesday.

"We're still carrying out the steps in the case with the aim of determining the causes of the accident that (resulted in) the deaths of the workers," a police spokesman told Andina.

The spokesman said that the incident occurred on Wednesday morning in a mine in the Gasuna sector of the mountains north of Lima.

The bodies of the victims were transported to the Oyon morgue.

An Oyon resident told RPP radio that the mine belongs to the firm Minera Gamuza.

In another incident on Tuesday, a miner died and two others were seriously injured when part of a tunnel collapsed in the San Cristobal mine in the central region of Junin, CPN Radio reported.

Thursday 11 February 2010

## NSW: Musculoskeletal disorders in mining, survey results released

Following the NSW Workplace Safety Summit in 2005, the NSW Government committed the NSW mining industry to reducing the incidence of musculoskeletal injuries by at least 40 per cent by 30 June 2012.

As part of the strategy to prevent musculoskeletal disorders (MSDs) in the mining industry, the NSW Mine Safety Advisory Council (MSAC) commissioned an independent consultant to conduct a mail survey of NSW mines and quarries, to determine:

- musculoskeletal blackspots and potential solutions
- the enablers and barriers to improvement in the prevention of musculoskeletal injury,
- and to assist in the development of strategies to prevent MSDs in the mining industry

The project was undertaken in May 2009 by workedWELL and requested respondents to focus on data during the previous 12 months.

A mail survey was sent to 971 mine sites in NSW. Non-responsive sites were followed-up by phone interview. Twenty seven per cent of mines surveyed responded.

Two-thirds of survey responses came from small sites (those employing less than 20 people). Quarries represented approximately half the sites responding, with both production managers and business owners comprising the majority of responders.

While there are some notable differences between the sectors, the key findings from the survey include:

- 60% of sites surveyed reported no injuries (more common in smaller employers of non-coal sectors)
- Sprains and strains were the most common type of MSD injury, followed by injuries from slips, trips and falls
- Slips and falls were not necessarily on the same level – injuries commonly occurred descending vehicles and equipment
- The back was the most common site affected, although in different proportions depending on the sector
- For metalliferous and extractive mines, upper and lower limb injuries equalled back injuries
- Lifting and handling loads was attributed to causing the majority of injuries
- Servicing equipment was a factor in all sectors
- Vibration was not considered a problem in any sector, although 'rough rides' was mentioned as a cause of injury

For more information email [mine.safety@industry.nsw.gov.au](mailto:mine.safety@industry.nsw.gov.au)

## This week in mining accident history

**7 February 1962**

**Luisenthal Mine**

**Völklingen, Germany**

**Underground Coal Mine**

**Coal dust explosion**

**299 dead**

Source: <http://en.wikipedia.org> & [www.dmm2.org.uk](http://www.dmm2.org.uk)

On February 7, 1962 a methane explosion occurred after the opening of a methane-containing cavern in the Alsbach field. This triggered an even bigger coal dust explosion with devastating effects. 299 workers of the 433 present were killed, making this the greatest mining catastrophe in the history of the Saarland coal mining area.



Friday 12 February 2010

## Gwanda: 'Faint voice' heard in mine rescue

*Extract from New Zimbabwe.com*

HOPES were fading on Tuesday for a successful rescue of six miners trapped in a collapsed mine tunnel in Gwanda since Friday last week.

The rescue effort has been hampered by lack of equipment and experienced personnel.

The rescuers, many using shovels and other hand tools, have been working around the clock to get to the men.

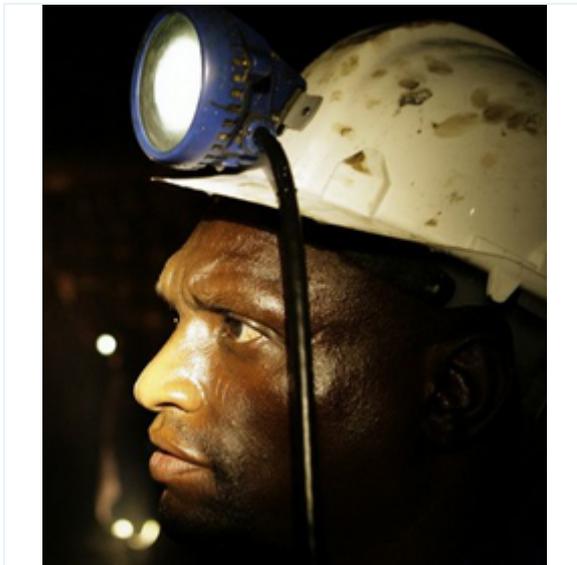


Officials at the Anterior gold mine believe the six miners are 50m below ground and by noon Tuesday, they had dug up at least 25m.

The rescue operation was expected to gather pace later Tuesday with specialist equipment and personnel expected to arrive from Shabanie Mine in Zvishavane.

Matabeleland South Police Spokesman Inspector Tafanana Dzirutwe said: "The Civil Protection Unit has been helping but the shortcoming they are having is getting experienced personnel on the ground because of lack of resources."

Dzirutwe expressed fears the rescue effort could claim more victims.



Fading hope ... Miners trapped for five days

"The mine is very unstable," he said.

A source at the site of the accident, speaking by telephone, told New Zimbabwe.com late Tuesday that rescuers had heard a "faint lone

voice" – heightening fears the miners are either cut off from each other or others may be dead.

Anterior Mine was previously registered to one Douglas Starling, but is currently being operated by a man identified only as Siduli.

Siduli, according to sources, hires workers with poor training who are sent into the underground tunnels using mainly unconventional mining methods.

The mine also has a problem with gold panners who have given the mine's shafts names to symbolise a home setting, according to sources. The area where the miners are trapped is known as the KITCHEN.

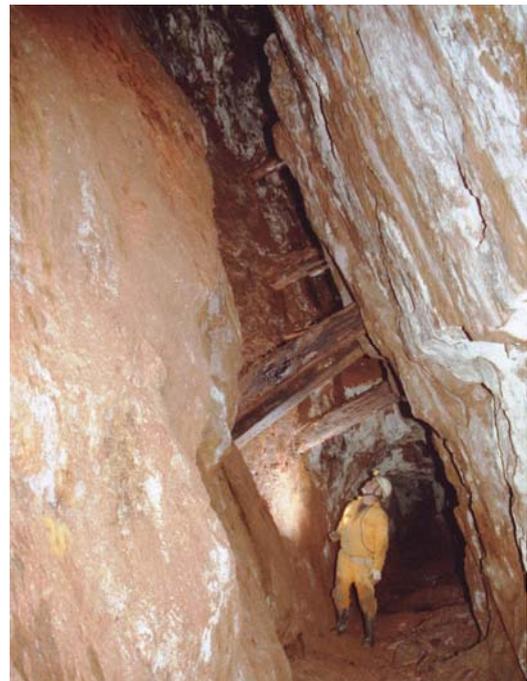
## Mining dictionary

### A guide to common mining terminology

#### S

#### stope

An underground excavation formed by the extraction of ore. Sometimes exposed at the surface by working an ore body upwards, or by later open cutting of the deposit (an 'open stope'). Stulls are inserted into the stope to support the roof and provide a working platform.



Stope in tin mine

-Ed