



# Mining Accident News No.1016

23 to 31 May 2010

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Sunday 23 May 2010

## Five Killed by Slipping Coal Carts in SW China

*Extract from CRIENGLISH.com*

Five miners were killed after they were hit by three slipping coal carts in a coal mine in southwest China's Chongqing Municipality on Sunday, said the local authority.

The accident happened at 8:00 a.m. under an inclined shaft of the Pengxin Coal Mine in Tongliang County, Chongqing.

The coal mine with an annual production capacity of 60,000 tons has been ordered by the county government to suspend production.

Monday 24 May 2010

## USA: Massey Worker Calls Mine 'Ticking Time Bomb'

*Extract from Wall Street Journal, USA*

BECKLEY, W.Va.—A miner working at the Massey Energy Co. mine when an April 5 explosion killed 29 of his co-workers, said the Upper Big Branch mine was a "ticking time bomb," with numerous safety problems, including poor ventilation for diluting explosive methane.

Stanley "Goose" Stewart, who was 300 feet into the mine and forced to evacuate when the explosion occurred, said he worried about ventilation conditions at the mine as far back as July 2009. He also said that Massey supervisors changed the mine's ventilation controls while miners were working, in violation of federal mine laws.

"Mine management never fully addressed the air problem when it would be shut down by inspectors," Mr. Stewart said. "They would fix it just good enough to get us to load coal again." He said that more recently there were "at least two fireballs" at the working face of the mine as a result of pockets of methane.

"That area was a ticking time bomb," Mr. Stewart said.

Massey has denied that there were safety problems at its Upper Big Branch mine. In a Senate Appropriations Committee hearing Thursday, Massey Chief Executive Don Blankenship said that the federal Mine Safety and Health Administration had required the company to use a ventilation plan at the mine that was more complex and that company officials resisted. He said he didn't know if that

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

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ventilation plan played a role in the April explosion. Mr. Blankenship said that the company doesn't put production ahead of safety.

In emotional testimony Monday before a half dozen members of Congress and Labor Secretary Hilda Solis, Mr. Stewart and five family members of miners who were killed at the mine testified about poor safety conditions at Massey's mine prior to the accident that they either experienced or heard about from their relatives.

Steve Morgan said his son Adam Morgan, who was 21 years old when he was killed in the accident, would talk to him in the evenings about conditions in the mine. His son was sent home a week prior to the accident because of "high gas levels," Mr. Morgan said.

He said his son also told him about high levels of potentially explosive coal dust and problems with ventilation controls including curtains that were not used properly. Mr. Morgan said management dismissed his son's concerns when he reported problems.

"The boss pulled him to the side and said, 'If you're going to be that scared of your job you need to rethink your career.'" Mr. Morgan said. He added that he tried to talk his son into quitting his job two weeks prior to the accident.

Gary Quarles, father of Gary Wayne Quarles who was killed on April 5, said regulations need to be strengthened to make inspections by MSHA more effective. "When an MSHA inspector comes onto a Massey mine property, the code words go out 'we've got a man on the property,'" Mr. Quarles said.

Mr. Quarles said he currently works for Massey at the Parker Peerless mine but is off work because of trauma he suffered as a result of losing his son. Several other family members who are also miners said they have yet to return to work because of trauma related to losing their family member.

Clay Mullins, the brother of Rex Mullins, paused in his testimony several times as he fought back

tears. He said he faulted MSHA as well as Massey for not shutting down the Upper Big Branch mine. "If the operator doesn't get that mine fixed then someone has to come in and say, 'Enough is enough. We're going to shut this until this problem is corrected.' "

Mr. Mullins said he previously worked at the Upper Big Branch mine. "When I was there before, we always took care of the problems that we had," Mr. Mullins said. "But things must have changed since we left."

Rep. John Kline (R., Minn.), of the House Education and Labor Committee holding the hearing, called the testimony "tough" and "compelling." He said, "There are clearly some things that shouldn't have happened based on your testimony."

Rep. George Miller (D., Calif.), chairman of the committee, said that tipping off the company about federal safety inspections "seems like an obstruction of justice."

West Virginia Gov. Joe Manchin said that more needs to be done to empower miners to speak out about safety issues because many currently fear intimidation by coal operators.

"It's quite disturbing what we're hearing," Mr. Manchin said. "We know from what we're hearing today that it was a time bomb waiting to happen."

Mr. Manchin proposed putting a certified mine safety team in every mine. "I envision teams of miners in each mine that are trained and certified to identify dangerous situations" that would be "protected by law from threats, harassment or intimidation."

During the hearing, Rep. Lynn Woolsey, (D., Calif.) called for stronger mining laws, tougher penalties and better protection for whistleblowers, in the wake of the explosion.

"It's very clear that we are going to strengthen the mining laws," she said. "We are not up to par as to where we ought to be for 2010." Ms. Woolsey also said there are too many loopholes

in the process of identifying and establishing a mine with a pattern of violations and subjecting it to tougher enforcement.

Earlier Monday, Ms. Solis addressed the family members and promised accountability and a thorough investigation into explosion. "We owe them action and we owe them accountability," Ms. Solis said. "We can all honor them that justice is served on their behalf and that an accident on this level never happens again."

At the same time, Ms. Solis defended the investigation by the MSHA. "The MSHA process will allow for unprecedented public participation," Ms. Solis said. "If you have something to say you'll have an opportunity to say it."

## USA; Hearings Begin in W. Va. Mine Tragedy

*Extract from KDKA, Pittsburgh, USA*

BECKLEY, W. Va. (KDKA) — Hearings began today in Beckley, W. Va. after the recent mine disaster there.

W. Va. Gov. Joe Manchin testified before a House subcommittee about the accident that killed 29 miners.



Just last year alone, federal mine inspectors turned up 458 safety violations at the Upper Big Branch Mine and they've discovered an additional 117 violations this year.

Gov. Manchin is suggesting that practices of protecting employees who fail to report safety hazards, be eliminated.

Last month's mining disaster at the Upper Big Branch Mine, which is operated by Massey

Energy, was the worst United States mining accident in 40 years.

Families of the victims are also expected to testify.

Tuesday 25 May 2010

## Northeast China Finds Coal Mine Blast Cover-up, Six Dead

*Extract from CRIENGLISH.com*

A coal mine blast in northeast China's Liaoning Province, which caused six deaths, was exposed Tuesday after having been covered up for more than a month by the mine owner.

The explosion happened in a coal mine named Xincheng in Benxi city of Liaoning on April 10, killing six, but the owner concealed the accident, said an official with the provincial administration of coal mine safety.

The administration started investigation into the accident on May 19 after receiving a tip-off about the cover-up, the official said. Investigation into the accident is still underway.

## USA: Mine Worker Dies In Accident

*Extract from Times Record Online, Fort Smith, USA*

A Sequoyah County limestone mine worker was killed Monday afternoon when he was sucked into an industrial vacuum used for the mining operation.

The 60-year-old man, who has yet to be identified, was working as part of a crew performing repairs on a vacuum rolling grinder at U.S. Lime Plant in Marble City when somehow around 4 p.m., the vacuum activated, according to Sequoyah County Sheriff Ron Lockhart.

"For some reason, the machine kicked on, causing the vacuum to activate," Lockhart said. "He was sucked into the machine."

The worker's body became trapped in the machine, Lockhart said.

The Sallisaw Fire Department Rescue Team and Sequoyah County deputies were called to the scene. Emergency personnel struggled for three hours to remove the worker's body from the machine, Lockhart said.

The worker, whose name was not provided, is believed to have died instantly upon being sucked into the machine. His body has been sent to the Oklahoma State Medical Examiner's Office, Lockhart said.

The Oklahoma Mining Commission will attempt to determine how the machine was activated while repairs were being performed on it, Lockhart said.

The employee who was killed had been an employee for U.S. Lime for 30 years. His name is likely to be released on Wednesday, Lockhart said.

### Quote of the week



"It takes two hands to clap."

Jiang Zemin  
(Chinese leader, 1926-)

Friday 28 May 2010

## USA: Miner's death is uranium industry's first since 1998

*Extract from The Salt Lake Tribune, USA*

A federal Mine Safety & Health Administration investigation has begun into a fatal accident Wednesday at the Pandora uranium mine near La Sal, in San Juan County.

Hunter Diehl, 28, of Moab, became the first uranium miner to die in the United States since 1998. He was hit in the back by a boulder while

using a long crowbar to dislodge other pieces of rock, broken up by earlier blasting, from a mining face in the underground operation.

MSHA spokeswoman Amy Louviere said the lead accident investigator, Melvin Lapin from the agency's Topeka, Kan., field office, was scheduled for a mid-afternoon arrival Thursday at the mine site southeast of Moab.

An MSHA inspector from Salt Lake City had issued a shutdown order, secured the site and gathered preliminary information after the 7:30 a.m. Wednesday accident.

San Juan County Sheriff Mike Lacy said a co-worker came to Diehl's aid after seeing the victim blinking his head-lamp light. They talked briefly. The co-worker went for help, but when he returned, Diehl was unconscious. The victim later stopped breathing and was pronounced dead at San Juan County Hospital in Monticello.

Diehl's family did not respond Thursday to a request for comment. But his sister made arrangements with Spanish Valley Mortuary in Moab for a June 5 service at the city's River of Life Christian Church.

While Lapin's investigation will zero in on details of the fatal roof fall, preliminary information

## USA: Massey employees skipping disaster interviews

*Extract from Charleston Gazette, USA*

CHARLESTON, W.Va. -- Half of the Massey Energy employees who have so far been asked for information about the Upper Big Branch Mine Disaster have not shown up for scheduled interviews, the state's top mine safety official said Wednesday.

The no-shows could hamper efforts to pinpoint the causes of the worst U.S. coal-mining disaster in 40 years, officials said.

But federal regulators can't subpoena witnesses without opening the interviews into a public hearing setting, something the Obama administration has refused to do. And so far,

state investigators have hesitated to use their separate power to force witnesses to appear for the closed-door interviews.

"Obviously, we have subpoena power," said Ron Wooten, director of the West Virginia Office of Miners Health, Safety and Training. "If we need to use subpoena power, we will."

Wooten said his agency wants to issue subpoenas as a last resort, and only if specific witnesses who don't voluntarily appear are determined to have information that is vitally important to the investigation.

In a letter last week to the United Mine Workers union, Wooten said his agency prefers voluntary interviews.

"It has been the practice of this agency to only use its subpoena power when individuals critical to the investigation refuse a voluntary interview," Wooten wrote in the May 18 letter. "We have found that voluntary testimony under oath results in more complete testimony ... It should further be pointed out that should individuals refuse to offer voluntary interviews, this agency will not hesitate to utilize its subpoena powers."

Investigators still haven't gotten back into the Raleigh County underground mine to begin the on-site part of their probe into the disaster. Air quality in the mine appears to be improving, though, and officials were hoping they could start back into the mine as early as next week.

Meanwhile, the U.S. Mine Safety and Health Administration and the state already completed interviews of their own mine inspectors and of at least some of the mine rescue team crews who were in the mine after the explosion.

Interviews of employees of Massey and its operating subsidiary, Performance Coal Co., began last week at the National Mine Health and Safety Academy near Beckley.

Wooten said that through Tuesday, seven of the 14 Massey or Performance employees who had been asked did not appear at their scheduled interviews.

On Thursday, MSHA spokeswoman Amy Louviere offered different numbers. She said investigators had interviewed 12 Massey employees and that four other company employees had not shown up for interviews. Louviere said all four said later that they forgot about the interviews or had their work schedules changed and were unable to attend.

Under federal law, MSHA does not have authority to use subpoenas to force witnesses to appear for the closed-door interviews. MSHA has subpoena power only if it is trying to force witnesses to appear at public hearings or interview sessions.

State law gives Wooten's action authority to subpoena witnesses for the private interviews, but so far the Manchin administration has not chosen to exercise that authority.

Last week, U.S. District Judge Irene C. Berger threw out a lawsuit in which the UMW and the families of two miners who died in the disaster sought to force MSHA to conduct witness interviews in public.

Labor Secretary Hilda Solis and MSHA chief Joe Main have argued that they needed to have the witness interviews behind closed doors to encourage Massey employees to answer questions about working conditions in the mine prior to the disaster.

Earlier this week, one Upper Big Branch worker and several family members of miners killed in the explosion testified publicly at a congressional hearing in Beckley, telling lawmakers that Massey cut corners on safety and threatened to fire workers who objected to unsafe conditions.

Twenty-nine miners died in the April 5 explosion, making it the worst U.S. coal-mining disaster in 40 years. Investigators and safety experts believe the blast involved the ignition of methane gas and was made far worse by a buildup of highly explosive coal dust.

Tony Oppegard, a former MSHA staffer and longtime mine safety advocate, said Upper Big

Branch investigators should have been using the state's subpoena power from the beginning to compel witnesses to come forward.

"MSHA should have piggybacked on the state's subpoena authority," Oppegard said. "The state of West Virginia should have subpoenaed all of the witnesses."

## This week in mining accident history

**23 May 1859**

**Pudley-Hill Coal Pit**

**Old Park, West Midlands, England, UK**

**Underground coal mine**

**Roof fall**

**1 killed**

Source: [www.serve.com/scmc/papers](http://www.serve.com/scmc/papers)

### FATAL ACCIDENT IN A COAL PIT

On Monday last, about noon, while a collier named **Thomas Amos**, was at work in a coal-pit called the Pudley-Hill Coal Pit, Old Park, belonging to Messrs. **John Garbett & Co.**, under the Old Park Iron Company, a portion of the roof of the pit fell on him, injuring him so seriously that he died shortly after being taken home. The unfortunate man had only resumed work a short time from injuries received at a previous accident. He has left a wife and six children to mourn his loss. (*Shrewsbury Chronicle, Friday May 27, 1859*)

**INQUIRY** – On Tuesday last an inquest was held by **R D Newill**, Esq., coroner, at the Old Park, on view of the body of an unfortunate collier, named **Thomas Amies**, aged about 40 years, who, whilst engaged at work in a pit belonging to the Old Park Company on Monday last, met with an untimely death by the fall of a quantity of rock and earth from the roof of the working in which he was engaged. The jury returned a verdict of Accidental Death. (*Wellington Journal, May 28, 1859*)

Saturday 29 May 2010

## Spain: Worker dies after accident at Inmet mine

*Extract from [miningweekly.com](http://miningweekly.com)*

TORONTO – A contractor at Inmet Mining's Las Cruces operation, in Spain, has died after being involved in an accident at the mine on May 25, the firm said on Friday.

Perez Bernal was one of three workers involved in the accident, and the other two were both injured, Inmet said.

The Las Cruces copper mine was closed for two weeks in March, for an extended maintenance shutdown to address issues identified during the ramp up of the operation.

Inmet has base metals and gold mines in Spain, Turkey, Finland and Canada, as well as a stake in the Ok Tedi mine, in Papua New Guinea and a large copper development project in Panama.

Sunday 30 May 2010

## China coal mine blast kills 17 near Chenzhou: report

*Extract from Reuters, USA*

A coal mine accident killed 17 miners and injured one in a mining and metals-intensive region in southern China's Hunan province, the official Xinhua news agency reported, citing the provincial work safety watchdog.

The miners died after mining explosives stored in the shaft blew up and released clouds of toxic gas at a township coal mine near Chenzhou on Saturday, the report said.

Last August, the provincial government suspended all of Chenzhou's 270 coal mines for the rest of 2009, after an accident at a graphite mine killed 15 people.

China's mines are the deadliest in the world, due to lax safety standards and a rush to feed demand from a robust economy. More than 2,600 people died in coal mine accidents in 2009 alone.

## USA: Rockefeller Sends President Letter on Mine Safety

*Extract from State Journal, USA*

WASHINGTON, D.C. -- Senator Jay Rockefeller, Chairman of the Senate Commerce, Science and Transportation Committee, sent a letter to President Obama detailing suggestions, made by witnesses at a field hearing in Beckley on May 24, to improve mine safety across the state of West Virginia and in all U.S. coal mines.

Rockefeller has been following the Upper Big Branch mine disaster investigation closely and will play a key role in crafting the next phase of mine safety legislation. He has already started legislative work by authoring an amendment that was included as part of the Senate jobs bill, which will help more of our coal companies qualify for mine safety tax credits.

Below is Senator Rockefeller's letter to the President:

*Dear Mr. President,*

*This week, I joined the House Education and Labor Committee and other members of West Virginia's Congressional delegation at a field hearing in Beckley, West Virginia, to discuss mine safety in the aftermath of the explosion at the Upper Big Branch mine. I was profoundly inspired, once again, by the heart-wrenching impact of this disaster on the families and the community, as well as by the witnesses' courage in coming forward to tell Congress and the nation about their personal experiences. The testimony we heard and the proposals we received reflect an overarching and immediate call to action for industry, West Virginia, and the nation.*

*At Monday's hearing, Secretary Solis and Assistant Secretary Main joined us in listening to the family and friends of some of our fallen miners speak about how this tragedy has forever changed their lives. Despite their grief and heartbreak, each family represented at the hearing expressed a strong resolve and determination to put measures in place to*

*prevent tragedies like this one from happening in the future. Their input is especially important because, as I mentioned at the hearing, they are the real experts. These families live in the coalfields of West Virginia and, in many cases, have worked underground for decades. Along with West Virginia Governor Joe Manchin, they shared several proposals about how we can best improve regulatory compliance and working conditions in our nation's coal mines, and I wanted to immediately share with you their recommendations, including:*

- requiring each mine to have a certified mine safety team comprised of miners;*
- requiring inspectors to choose miners to accompany them on safety inspections;*
- improving rock dusting standards;*
- updating mine ventilation standards;*
- enhancing criminal penalties for tampering with safety equipment, such as methane monitors;*
- re-establishing the U.S. Bureau of Mines;*
- requiring inspectors to conduct inspections during evening and weekend shifts, rather than just during day shifts;*
- taking enforcement action against operators, mine guards, or other employees who attempt to subvert inspections by providing advanced notice that an inspector is on the premises;*
- requiring companies that are placed on a Pattern of Violations to pay to have inspectors at the mine site when it is in operation;*
- strengthening whistleblower protections;*
- piercing the corporate veil to hold upper management, Directors, and CEOs accountable for the safety of miners; and*
- holding state and federal inspectors accountable for the mines they inspect.*

*I urge your Administration to carefully consider the merit and importance of each of these suggestions, along with other actions that need to be taken, as we work together to enact*

legislation to protect the health and safety of our nation's miners.

The MSHA investigation of the Upper Big Branch tragedy will provide critical information about this tragedy, and may require further state and federal action, but there is a great deal of information that has already come to light. There is no reason to wait to take action to address known problems.

To that end, I believe there are several important steps that we must take immediately. First, it is necessary that we reform the Pattern of Violations process so that wrongdoers are held accountable. This can be accomplished by removing the unnecessary regulatory step of placing mines on a "potential" Pattern of Violations and by removing the requirement that only final orders be considered when determining whether a mine should be placed on a Pattern of Violations. It is unimaginable to think that no mine has ever officially been placed on a Pattern of Violations, when we have clear evidence that some operators routinely put production ahead of safety. We must also provide whatever resources are necessary to reduce the appeals backlog as soon as possible. I remain convinced that we can and must reduce the backlog within 2 years, so that the deterrent effect of mine safety penalties are not delayed for several more years into the future.

Additionally, we must find ways to further protect whistle blowers and empower miners to come forward to report safety concerns. One important solution is to charge companies and supervisors criminally when they jeopardize a miner's livelihood by firing him or her in retaliation for reporting safety issues. A complimentary approach is to provide dedicated resources for a joint Department of Justice and Department of Labor Mining Crimes Task Force to investigate and prosecute all criminal violations of our nation's mining laws. Miners should also be allowed to proactively identify and correct unsafe working conditions. As an example, employees at many automobile manufacturing plants have

the ability to completely stop production on an assembly line if they spot a problem. We need to demand that the mining industry adopt similar practices.

Finally, we must hold all levels of a corporation accountable for workplace safety, starting with senior executives. Many of the safest mines that I am aware of have CEOs and Directors who place a priority on safety, recognize that their companies can be more competitive when their employees are safe, and seek the input of the miners themselves when addressing safety problems. Every mine in the country should adhere to these principles.

Coal miners are critical to our nation's economy and Americans depend on them far more than they realize or appreciate. Nearly half of this nation's electricity comes from coal miners who go to work every day to make sure that there is enough coal available to power our homes, schools, and businesses and to manufacture the goods and materials on which our country depends. West Virginia coal miners should be able to go to work and dig coal confident that they are working in the safest conditions possible.

Their families should not have to worry about losing their loved ones simply because they go into the mines to work and provide for their families.

Thank you in advance for your commitment to protect the safety of all workers in our country, particularly our nation's coal miners.

Sincerely,

John D. Rockefeller IV

Monday 31 May 2010

## **USA: Massey CEO urges caution**

*Extract from Daily Mail, Charleston, USA*

Massey Energy Co. CEO Don Blankenship is urging Congress to have patience before enacting new mine safety laws.



In a letter sent Friday to Sen. Jay Rockefeller, D-W.Va., Blankenship responded to Rockefeller's call last week for the quick passage of new mine regulations.

The senator said he doesn't want to wait on the outcome of the investigations into the Upper Big Branch Mine disaster before Congress takes up new mine safety laws.

"We can't anticipate exactly what the cause was, but we know what the problems were," Rockefeller told the Daily Mail last week, after an emotional congressional hearing in Beckley on mine safety.

The hearing featured relatives of the men killed in the April 5 explosion, as well as one survivor of the explosion. They said mine owner Massey had not done enough to reduce levels of explosive methane and coal dust in the mine and that the company created an environment of intimidation that prevented miners from complaining about ongoing problems.

But Blankenship said that since investigators have been unable to enter the mine - as they are expected to do this week for the first time - "we cannot eliminate any possible scenarios that led to this tragedy."

"We owe it to the families, to the industry, and to the public to give our best and sincerest efforts to find the real cause of this explosion," Blankenship said.

"It is critical that we find out the facts, so that all of Massey's and the industry's coal miners can work without fear of another explosion. Once the facts are known, we will enact corrective processes at Massey immediately and encourage regulation and laws focused on eliminating the chance of a reoccurrence."

Blankenship also suggested other parties may be responsible, saying "all of the responsible parties will need to be held accountable." He repeated suggestions by the company that changes to the ventilation system demanded by officials from the U.S. Mine Health and Safety

Administration could have played a role by reducing the amount of air available in the mine.

"As I have stated, we do not know whether the ventilation system played a role in the explosion, and we do not know whether the modifications to that system demanded by MSHA played a role in the explosion," he said.

Blankenship also said the company is "sorry this tragedy occurred."

During the interview, Rockefeller said Blankenship had not apologized or taken responsibility for the explosion, except perhaps for remarks Rockefeller heard at the mine immediately following the explosion.

"He said, 'I feel really bad for you,' or something of that sort," Rockefeller said last week. "But was he making a corporate apology or mea culpa? No, he was not. He did not come close: 'We did nothing wrong. We have the expertise.' "

In response to Blankenship's letter, Rockefeller's office said it was interested in hearing all voices as it tries to shape new mine safety laws, including Massey.

"As Senator Rockefeller works on putting together mine safety legislation, he and his legislative staff are accepting input from stakeholders, and Massey's view of what went tragically wrong at the Upper Big Branch mine is an important part of this discussion," a Rockefeller spokeswoman said in an e-mail.

## Mining dictionary

### A guide to common mining terminology

#### W

**washdirt** The auriferous gravel, sand, clay or cement in which the greatest proportion of gold is found.

-Ed