



# Mining Accident News No.1017

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Wednesday 2 June 2010

## USA: Mine safety often a battle between regulators and companies

Extract from *The Washington Post*, USA

RED ASH, VA. -- For nine years, Randy Lester has worked in a coal mine ranked by federal inspectors as one of the most dangerous in the nation, its crumbling, dark tunnels stitched together by a crude collection of steel plates, wire netting, resin and rebar.

The site is prone to cave-ins and rock falls, and inspectors have chronicled more than 625 serious offenses over the past three years that could pose an imminent threat to workers.

Yet "nitpicky" is how Lester described the inspectors as he sipped coffee one recent afternoon. He fears that government regulation of the mine ultimately would shut it down -- taking his job with it.



### Regulators, operators wrangle over mine safety

A tug-of-war is playing out at many U.S coal mines between regulators charged with keeping the mines safe and operators determined to keep them open. Miners are caught in between, concerned about safety yet fearful that over-regulation could threaten their jobs.

The Tiller No. 1 mine, where Lester works, illustrates the complications federal agencies face as they try to regulate the potentially hazardous sites from which the country gets some of its most vital natural resources.

**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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As the federal government faces questions about its management of offshore drilling in the wake of the Gulf of Mexico oil spill, it also is under pressure to improve its supervision of the mining industry after a fatal explosion in April killed 29 miners at Upper Big Branch mine, like Tiller operated by Massey Energy. It was the nation's deadliest coal mining accident in 40 years.

The federal Mine Safety and Health Administration says the injury rate at Tiller is 40 percent higher than at Upper Big Branch and twice the national average. Even as MSHA inspectors prepare to re-enter Upper Big Branch on Wednesday for the first inspection since the fatal accident, the agency has focused much of its energy in recent weeks on the infractions at Tiller. MSHA officials say they have spent more than 1,000 hours building a case that Tiller deserves to be the first mine in the country to face the toughest enforcement tool available to regulators.

The mine's owners and operators have devoted equal effort to fighting off the sanctions.

Any day now, a judge with the Federal Mine Safety and Health Review Commission is expected to rule on whether some of Tiller's contested violations are warranted. If they are upheld, the mine will be slapped with a "pattern of violations" status, giving inspectors new authority to demand that work be halted in the mine until dangerous conditions are corrected.

But if Massey convinces the judge to reduce just four of its hundreds of "significant and substantial" violations to a lesser category, it would be spared the "pattern of violations" (POV) status.

"It's a death sentence for a mine," said Dave Kramer, president of Knox Creek Coal, a Massey subsidiary that runs the Virginia mine.

Two weeks go, the MSHA sent six inspectors and three supervisors to Tiller to check for additional violations. Lester said he and his co-workers usually sound an alarm when they see

state or federal inspectors approaching, radioing down to give the crew inside the mine as much as 45 minutes to spruce things up. Stan Suboleski, a Massey board member and former chief operating officer, said that workers look out for one another and that "given human nature, this is natural."

Lester said the constant presence of inspectors is unsettling. "This mine is safe," he said. "You can only do so much to hold the roof up; then the rest is up to God."

### **'We have to do better'**

Massey acquired the Tiller mine in southwestern Virginia in 1997 so the company could harvest a rich, 300 million-year-old coalfield. From the beginning, it posed special challenges, with more than 50 fault lines and fissures lacing through it. "These things alone cause me to worry about this mine," said MSHA District Director Ray McKinney.

When the mine opened, 25 miners worked a small area; today, 85 toil in an area the size of six football fields.

For the mine's first decade, federal inspectors at the site were old friends of the operators and often called ahead before visits. But in 2006, mining safety came under a spotlight when 19 men perished in three accidents at other mines. A MSHA investigation found that inspectors often found serious violations -- such as piles of combustible coal dust and inadequate air flow -- but were not citing operators, as required by law. Many mines were long overdue for inspections because the number of inspectors had dwindled.

The MSHA came under pressure from Congress to finally enforce the POV tool, established in 1977. "Anyone who didn't back up and look at themselves and say, 'We have to do better,' wasn't doing the right thing," McKinney said.

So the MSHA adopted new get-tough policies, raising the number of inspectors by 20 percent and ordering them to increase their oversight of the nation's 2,030 coal mines. Citations and fines skyrocketed.

At Tiller, citations nearly tripled to an average of 550 a year; 39 percent of them fell into the "significant and substantial" category -- known in the mines as "S&S" -- often requiring operators to stop work to remedy hazards.

"Suddenly, they seemed to see problems everywhere," said Tiller safety director Jack Snow.

Annual penalties at the mine jumped from about \$20,000 to more than \$1 million in recent years; half of the citations were for ventilation problems that could cause explosions and for unstable roofs with loose rocks that could fall on miners, records show.

Kramer, Knox Creek Coal's president, idled a section of Tiller, but violations mounted anyway. In September 2009, he learned that the mine was headed for POV status.

Under the program, mine operators have 90 days to try to fix the problems and reduce serious violations. Kramer submitted a four-page plan, promising that crew members would find and repair all hazards.

But MSHA inspector Jason Hess found alarming deficiencies when he went to see whether the plan was working.

"The coal ribs (ceiling and walls) are not being controlled where miners are required to work," Hess wrote in a report. A few days later, he and a foreman heard the "top breaking" in the mine, meaning that the roof of granite, rocks and shale, created when the miners bored tunnels, was possibly failing and could cave in on them.

Hess and the foreman spotted roof cracks and "unravelling" support structures, his report said. A team of miners was dispatched to bolt the roof back together.

An outside expert who once worked at Tiller wrote in sworn testimony that these two violations alone could cause "crushing injuries to internal organs and death," records show.

Inspectors' notes and court transcripts also show the MSHA's growing frustration. Bitterness

escalated between miners, company officials and inspectors as work halted for repairs, creating unpaid downtime.

Massey and Knox Creek officials said they believe the coal mine's worsening record is based on arbitrary and conflicting observations by federal inspectors.

"Nothing in this mine has changed. We run it the same way we always have," said Kramer, using his fingers to chip away at the soft coal walls to demonstrate their fragile nature. "The inspectors' view is what has changed. Inspections are highly subjective."

"See this?" Snow said, using a crowbar to dislodge a 20-pound slab of granite, which fell to his feet. "This would be an S&S violation, even though I was able to pull it down and eliminate the problem in one minute."

#### **Calculating safety**

To prove that a mine qualifies for a POV status, the MSHA uses an elaborate scorecard to evaluate safety conditions in 10 categories. Using a mathematical formula, the agency determines whether a mine qualifies for the toughest sanctions, based largely on the accumulated number of "significant and substantial" violations.

It can take years of inspections before a mine is notified that it is at risk of POV status. And along the way, a mine owner can use numerous tactics to stave off federal action.

The first escape hatch is the 90-day notice, which gives mine operators time to correct problems and wipe them off the scorecard. And in four safety categories, a company may stop the clock simply by contesting the violation. Once a protest is made, the MSHA cannot count the violation until the matter is resolved by the Federal Mine Safety and Health Review Commission.

In recent years, as the MSHA stepped up its citations and fines, the rate of contested violations rose from 7 percent to 25 percent. At

Tiller, the proportion of violations that were contested jumped from zero to 30 percent. Hundreds of them were violations deemed "significant and substantial."

The contested cases tied the system into knots.

It takes 27 months, on average, for a case to make its way through the extensive backlog at the federal review commission. Most violations are settled by the cash-strapped agency for pennies on the dollar before they can be counted.

"With this model, they are telling the mines to not pay too much attention to the fines and citations because they can always put them off with appeals," said former West Virginia congressman Ken Hechler (D), author of the first mine safety act, which passed in 1969. "These laws will never make a difference if there isn't a will to enforce safety instead of creating programs that can be manipulated."

Most mines easily fight off POV status by making timely improvements. Then they can continue accumulating violations, as long as they stay within national norms.

"They are setting a low bar for a mine that is the lowest of the low," said Celeste Monforton, a public health professor at George Washington University who is advising state investigators in West Virginia on the Upper Big Branch probe. "These are F mines, and now they only have to become a D mines to be okay again."

### **Closing loopholes**

When the Obama transition team began work in November 2008, MSHA officials described the loopholes in the POV program. The number of disputed cases pending before the review commission was making it difficult to crack down on repeat offenders, the officials said.

It took the Upper Big Branch disaster to galvanize action.

Now, the Senate Committee on Health, Education, Labor and Pensions is working on legislation to shore up enforcement tools and

give the MSHA greater power to shut down hazardous mines and require safety overhauls before they can reopen. At a recent hearing, members of the committee heard witnesses describe the ineffectiveness of the POV program.

Much of the anger in Washington has been directed at Massey, a company that owns 56 mines, 11 of which, including Upper Big Branch, have made their way onto the MSHA's list of the nation's most dangerous mines. Except for Tiller, all of the Massey mines have been able to correct problems and get off the list.

At Upper Big Branch, federal investigators are examining the mine's owners and operators and whether there was "willful criminal activity" in failing to address repeated safety problems. Suboleski and other Massey officials believe the MSHA has pounded away at the company unfairly in the rush to place blame for the tragedy.

Massey's record does include some successes. A month after Tiller received its warning letter, for example, the MSHA posted on its Web site "Sentinel of Safety" awards for three other Massey mines, citing their "outstanding" records.

Last month, a MSHA district office in West Virginia gave another Massey mine a safety award. Three years ago, the same mine was on a "pattern of violations" notice.

"There is certainly a bit of irony there," said Suboleski, the light on his safety hat shining down a dark corridor. "It hasn't escaped our notice."

Miner Randy Lester shares the company's concern. He thinks the mine is carefully balancing safety and productivity, and he worries that stepped-up enforcement from the MSHA might drive them out of business

"They have all of us shook up," he said.

## USA: Mine Disaster Probe Finally Heads Underground

*Extract from NPR*

Two mine rescue teams cautiously ventured back into the Upper Big Branch coal mine in West Virginia on Wednesday after being forced to retreat temporarily when monitors indicated the presence of toxic and explosive gases.

It was the first attempt to re-enter the mine in nearly two months. Investigators seeking the cause of the April 5 explosion have been unable to do any work underground since the blast, which killed 29 workers. Methane gas, carbon monoxide and a smoldering fire or some other heat source have made the mine unsafe.

It's the job now of the mine rescue teams to make sure investigators can enter without being threatened by explosive accumulations of methane gas and coal dust, as well as other dangers.

"Both teams advanced approximately 1,000 feet, but were forced to exit the mine ... after hand-held readings indicated potentially elevated levels of carbon monoxide and methane," said Amy Louviere, a spokeswoman for the federal Mine Safety and Health Administration. "Bottle samples were taken to confirm the hand-held readings."

Testing of the bottle samples showed that the gas levels were not as elevated as believed. So after a four-hour lull, the rescue teams returned to the mine.

It may take two weeks to sample air throughout the mine and make sure there's enough airflow for safe entry by investigators, according to Leslie Fitzwater, a spokeswoman for the West Virginia Office of Miners' Health Safety and Training.

Proper ventilation keeps explosive methane gas and coal dust at safe levels.

Once the mine is declared safe, investigators will move in to determine what caused the deadliest coal mine accident in 40 years.

The investigative teams will include representatives of the state and federal mine safety agencies, Massey Energy and the United Mine Workers union. The union is the official representative of miners during the investigation.

In a written statement, Massey Energy said the beginning of this phase of the disaster investigation is "an important step to determine what happened here at Upper Big Branch."

Among answers investigators seek is why methane monitors, which sound warnings and even shut down mining machines when methane approaches dangerous levels, didn't warn of high gas levels.

In an interview with West Virginia Public Broadcasting, state mine safety director Ron Wooten said that because the explosion was so massive, there had to have been a large accumulation of methane.

"There had to have been a reason that the methane monitors, if they were turned on, and the methane detectors, if they were turned on, didn't give some kind of warning," he said.

Disabling monitors without a legitimate reason is a crime. Wooten also suggested that a small and isolated methane leak may have occurred away from the monitors.

"There are a lot of things that could have happened," Wooten told WVPB. "What we can't understand is how it was so catastrophic, so instantaneous as to basically stop 29 people in their tracks."

## USA: Man killed in gold mining accident

*Extract from SiskiyouDaily.com, USA*

Sawyer's Bar, Calif. — One man is dead and another injured after a mine explosion near Sawyer's Bar on Friday.

At about 3:45 a.m. on Saturday, May 29, the Siskiyou County Sheriff's Office received a request to respond to the Knownothing Mine to investigate a mine explosion that occurred the

evening of Friday, May 28 about 12 miles northeast of the small community of Sawyers Bar in the Salmon River area of western Siskiyou County, according to an SCSO press release.

It was reported that two mine workers – James Steiner Bennett, age 62 of Ward, Colo., and Michael Harry Engelke, age 59 of Forks of Salmon – had been seriously injured in the mine explosion.

Volunteers with Salmon River Fire and Rescue were called to the mine and treated both Bennett and Engelke before they were airlifted to a Redding hospital, where Bennett died a short time later.

Another mine worker, 66-year-old Ralph Kuntz of Spearfish, S.D., told deputies he was in the mine with Bennett, Engelke and a few other workers and that they had loaded a “drift round of explosives” down in the mine. They exited the mine and waited for the explosives to detonate, the press release said. Kuntz said they thought they heard the detonation, so Bennett and Engelke went back into the mine.

Kuntz told sheriff’s deputies he waited 15-20 minutes, and when the two men didn’t come out, he entered the mine in an attempt to locate them. He said he was about 220 feet into the mine when he saw Bennett and Engelke walking toward him – both covered in dirt and lacerations. They told Kuntz that some of the explosives had detonated while they were in the mine.

According to the release, Kuntz said he transported both men down to camp. Engelke walked into the lodge, and Bennett walked toward the bunkhouses and said he was going to take a shower. Kuntz said he felt that Engelke’s injuries were worse than Bennett’s at that point, the release said.

Kuntz said Engelke laid down on the floor of the lodge and, at that point, Kuntz called for medical personnel. He said he and others tended to the two men until medical personnel arrived.

The mine supervisor, 53-year-old Patrick Fagen, said that at about 8:30 p.m. on Friday he was contacted by one of his workers, who told him that Bennett and Engelke were involved in an explosion in the mine and were at the camp. He said he went to check on the two men and stayed with them until medics arrived, according to the release.

Fagen said both men were experienced mine workers and he was unsure as to why they went back into the mine shaft.

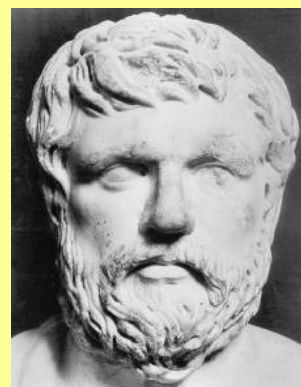
Fagen said the mine is owned by Gold Rush Enterprises, LLC in Reno, Nev., which is a subsidiary of American Sierra Gold Corp., and that they were using Ammonium Nitrate Fertilizer Oil (ANFO) and stick dynamite in the mining operation.

According to American Sierra Gold Corp.’s Web site, the mine is part of the Discovery Day Gold Project, which covers over 950 acres.

The accident was reported to the California Occupational Safety & Health Administration, and a representative from CAL OSHA was at the mine Wednesday as the investigation into the explosion continues.

Engelke was released from the hospital on Sunday and is at home recuperating.

### Quote of the week



“Fast is fine, but accuracy is everything.”

Xenophon  
(Ancient Greek, 430-354BC)

## Canada: Fatal Accident at Niobec Mine

*Press release IAMGOLD Corporation*

TORONTO, ONTARIO, -- IAMGOLD Corporation regrets to report the death of an employee in an accident this morning at its Niobec Mine, 25 kilometres northwest of Chicoutimi, Quebec. Investigations are underway by the Company and the Commission de la Sante et de la Securite du Travail du Quebec (CSST).

The Company's onsite emergency response team was immediately activated and external emergency services personnel were called to the site.

The employee's family has been notified. Mining operations have been suspended today out of respect for the family and the Niobec employees. IAMGOLD is offering assistance and support to the employee's family and the entire Niobec workforce. The immediate thoughts of IAMGOLD's Board of Directors and management are with the family, friends and co-workers of the employee.

Friday 4 June 2010

## 11 trapped in China coal mine flood

*Extract from Channel News Asia*

BEIJING: Rescuers were striving Friday to save 11 workers trapped in a flooded coal mine in northern China, the latest accident to hit the notoriously dangerous industry, an official and state media said.

Some 400 rescuers were sent to the flooded pit in the city of Jincheng in Shanxi province -- China's coal-production heartland -- to try to drain the floodwaters and reach the missing miners, Xinhua news agency reported.

An official with the Shanxi work safety bureau confirmed the men were still trapped, but refused any further comment about the incident.

It was not immediately clear when the flood occurred. Xinhua reported that a total of 75 miners were in the pit at the time, and that 64 had escaped.

The cause of the flood remained unclear, the report said.

Saturday 5 June 2010

## Nigeria: 100 children killed by lead poisoning

*Extract from ABC Online, Aus*

Nigerian health officials have discovered more than 350 cases of lead poisoning in several villages in the northern state of Zamfara.

Health authorities, who were conducting an immunisation program, were mystified that there were so few children in the villages.

The victims are thought to have drunk water contaminated by gold mining.

It is believed the heavy metal, which is used in the process of refining gold, leached into the area's main source of drinking water.

The number of victims has been rising since March, when residents started digging illegally for gold in areas with high concentrations of lead.

Villagers said the children had died of malaria but it was only when a team from international aid agency Medecins Sans Frontiers took blood tests from local people that the high concentrations of lead were discovered.

Sunday 6 June 2010

## Russia: Hushed-Up Fire Linked to Rospadskaya Mine Blast

*Extract from the Moscow Times*

The twin blasts at the Rospadskaya mine in the Kemerovo region on May 8 and 9 that killed 90 may be linked to a fire that started underground for unspecified reasons several days before the explosions, Interfax reported Sunday.

Raspadskaya's management tried to cover up the incident, and efforts to fight the fire continued until the blasts occurred, a source familiar with the preliminary findings of an investigation conducted by the Federal Service for Environmental, Technological and Atomic Inspection, told Interfax.

The service will release the preliminary findings this week, Nikolai Kutin, the service's head, said Tuesday.

Kutin said he expected the findings to be consistent with the final results of the investigation, which will only be concluded after the flooded Raspadskaya is dried out, a process that may take several months.

The service reported earlier that the miners ignored a ban on flammables and brought matches and lighters into the mine, but it was unclear on Sunday whether that was to blame for the fire.

## **6 workers rescued from flooded coal mine in north China**

*Extract from Xinhua, China*

Shanxi, -- Six workers were rescued Sunday from a flooded coal mine in north China's Shanxi Province after being trapped underground for three days, local authorities said.

The survivors were lifted out of the pit at Jiaonan Coal Mine in Jincheng city at about 11:30 p.m. Sunday. All of them appeared in good shape and some even "walked" to the stretchers themselves, said Liu Jinyuan, an official in charge of the rescue operations.

They were rushed to the ambulance on stand-by.

Cheers and applause broke out at the rescue site when six survivors were lifted up to the ground one after another.

Authorities said rescuers on Sunday night also discovered a body in the mine, bringing the fatality of Thursday's coal mine flooding to two.

The coal mine run by Jincheng Anthracite Mining Group in Zezhou County, Jincheng City was flooded at 5 a. m. Thursday. Of the 86 miners in the pit, 11 were trapped. One body was retrieved Saturday night.

The search for the other three who remain missing continues.

Monday 7 June 2010

## **Ex-Massey Miner: Safety Grips Led To Firing**

A former Massey Energy coal miner has filed a federal whistle-blower complaint, claiming he was fired after complaining about unsafe conditions at two Massey mines in West Virginia, NPR News has learned. One of the coal mines is Upper Big Branch, where an explosion killed 29 workers April 5.

Ricky Lee Campbell's complaint says he repeatedly told his supervisors about failing brakes on the coal shuttle cars he drove at the Slip Ridge Cedar Grove mine.

The 24-year-old from Beckley, W.Va., also spoke to a newspaper about unsafe conditions at Upper Big Branch, where he worked until shortly before the accident. And he provided information in the federal investigation of the blast.

Campbell spoke to the newspaper on April 7. A week later, he was given a five-day suspension "subject to discharge" and then fired April 23. He then filed the whistle-blower complaint with the Labor Department, contending that his persistent safety concerns, his media interview and his role in the federal probe prompted his termination.

A preliminary investigation by the agency concluded that Campbell's complaint "is not frivolous" and "there is reasonable cause to believe that Mr. Campbell's dismissal was motivated by his exercise of protected activities."

Details of the case are described in court documents obtained by NPR. Additional



information was disclosed at a June 4 hearing in Beckley before an administrative law judge with the Federal Mine Safety and Health Review Commission, which was witnessed by an NPR reporter.

Campbell worked as a roof bolter and shuttle car driver at Upper Big Branch until he was transferred to Slip Ridge the week before the explosion. Two days after the accident, Campbell returned to the office at Upper Big Branch to pick up a paycheck and was approached by two reporters who asked him questions about conditions there.

The interview was videotaped and portions were posted on the website of the *Pittsburgh Post-Gazette*.

"This mine was one of the worst I've ever been in," Campbell told the *Post-Gazette* reporters. "This place, it was real bad. ... I actually told my family, 'You know, somebody is going to get killed up here.'"

Campbell was later quoted in the newspaper as saying: "You can either work in the mines or flip burgers. And I can't support my family like I want to flipping burgers."

At the same time, he was complaining to his supervisors about safety problems at Slip Ridge, where he began work April 5.

Campbell later testified at the hearing that he immediately experienced problems with the brakes on his shuttle cars. "The brakes were not working," he said. "I could not stop."

Campbell also said the pedal that propelled the electric shuttle car kept getting stuck when it was engaged, which made stopping the vehicle even more difficult. And he said he "told everybody every night I worked there" that he didn't have working brakes and that the pedal was sticking.

"I was told it would be fixed," Campbell testified. "But it was never fixed."

He blamed two accidents on brake failure. Both damaged equipment and forced delays in coal production.

"I knew I was not supposed to run bad equipment, but you do what the bosses tell you," Campbell said. "I didn't want to get fired."

Campbell and Jonathan Price, his attorney, declined to discuss the case.

"He was worried he was going to kill somebody," Campbell's father, Rick, told NPR after the hearing. "He'd be so tore up that when he came home he'd throw up in the road."

Massey had requested the hearing after the Labor Department took up Campbell's cause and sought his immediate and temporary reinstatement. The proceeding before Judge L. Zane Gill focused specifically on the request to restore Campbell's job while the Labor Department considers in more detail the merits of his whistle-blower claim.

Just before the hearing, the Labor Department removed from the case the claim that Campbell's participation in the federal investigation was one reason for his dismissal. The agency reserved the right to revive that part of the complaint in the future. Labor Department attorney Samuel Charles Lord declined to comment, but the move prevented Massey Energy from trying to learn details about the federal investigation in its questioning of Campbell.

Massey's attorney, Thomas Kleeh, tried to discredit Campbell's testimony and suggest that he was negligent, but was frustrated by the narrow scope of the proceeding.

Four Massey workers and managers were outside the courtroom ready to testify about what Kleeh implied was Campbell's "clear history and pattern of equipment damage," as well as "two significant instances of discipline." But repeated objections sustained by Judge Gill prompted Kleeh to abandon that approach and the Massey witnesses.

Reinstatement hearings have a relatively low burden of proof, and case law cited by the Labor Department indicates a judge can't consider the full merits of the whistle-blower claim until later hearings that focus specifically on the details of the claim.

"It's a waste of time to listen to a bunch of evidence the court can't weigh," said Labor Department attorney Lord.

But Kleeh insisted that for Campbell to be reinstated, "there has to be a connection" between his complaints and his interview and dismissal. "There's no evidence tying Campbell's complaints to the adverse actions," Kleeh said, adding, "There's no evidence his supervisors were aware of the news stories" in which Campbell was quoted.

In a statement late Monday, Massey Energy said, "Mr. Campbell's claims are completely without merit. As the facts in this matter come to light, it will be very clear why Mr. Campbell was terminated and that his termination had nothing to do with him raising concerns about Massey Energy's safety practices."

The statement did not include any such facts or any other specifics about the case.

By law, Judge Gill must decide by Friday whether Massey will be ordered to put Campbell back to work temporarily while the full merits of the claim are investigated further by the Labor Department.

The company has the option of an "economic reinstatement," in which Campbell is back on the payroll but does not report for work, if it "doesn't want him," as Lord put it.

Campbell's father told NPR that his son is desperate to return to work because he's been unable to find another job and is struggling to support two small children and a fiancée.

"He's on the verge of losing everything," Rick Campbell said.

## TAS: Mine accident survivor grew cannabis 'to cope'

*Extract from ABC Online, Aus*

A 50 year old Sandy Bay man has admitted growing cannabis in his family home to help him cope with injuries sustained in a coal mine cave in.

John Paul Harrison pleaded guilty in the Supreme Court in Hobart to one count of cultivating a controlled substance.

Police raided the 50 year old's Sandy Bay home in March this year finding 140 cannabis plants in two growing rooms with an estimated street value of between \$42,000 and \$65,000.

Harrison's lawyer told the court the cannabis was for his client's personal consumption to help him cope with the emotional and physical scars from a coal mine cave-in in Queensland in the early 1990's.

He said Harrison, who was working as a miner, was buried above his head and lost two colleagues in the accident.

Harrison will be sentenced next week.

## This week in mining accident history

**6 June 1972**

**Wankie No.2 Colliery**

**Wankie, Rhodesia** (now Hwange, Zimbabwe),

**Underground coal mine**

**Methane explosion**

**427 killed**

Source: <http://www.rhodesiana.com/archives/>

An explosion at the Wankie No. 2 Colliery in Wankie, Rhodesia, killed 427 coal miners. In addition to 177 Rhodesians (141 black and 36 white), the dead hailed from various nations—Zambia (91), Mozambique (52), Malawi (37), Tanzania (30), Britain (14), South Africa (12), Namibia (9), the Caprivi Strip (4) and Botswana (1).

The explosion happened in one of the high extraction panels situated directly underneath a Mountain called Madumabisa. The initial explosion was caused by a methane explosion followed by a coal-dust explosion. This swept through the mine at such incredible speed that no one stood a chance.

At approximately 10:27 hours on Monday the 6th June, 1972, a violent explosion ripped through the entire extent of the underground workings of No. 2 Colliery.

Tremendous columns of smoke and gases poured out of all the shafts, mounting hundreds of feet into the atmosphere. The Kamandama fan was totally destroyed and the Bisa fan nearly so. The Kamandama main incline shaft was completely blocked by falls of roof and twisted steel girders.

For nearly four days rescue teams made the most determined efforts to reach possible trapped survivors. The Kamandama main incline shaft was sufficiently cleared to permit the entry of proto teams and necessary equipment. Forty-one hours after the explosion the Bisa fan was brought back into operation and a sluggish ventilation current established.

Brattices were erected in the splits along the Railway Main to direct the current of air towards the areas where the workers were known to have been at the time.

The proto teams, working in relays, penetrated 2 000 metres into the mine among scenes of the most appalling devastation. Explosions were heard at frequent intervals and freely burning fires were encountered.

In the end the rescue attempt was abandoned and the teams withdrawn. It had become obvious that nobody had survived the holocaust - 427 persons had died in one of the greatest, underground explosions ever known.

The disaster provoked reaction throughout the world, and messages of sympathy poured in from all quarters, and included those from Queen Elizabeth, Sir Alec Douglas-Home, the

British Foreign Secretary, the Pope, and the Prime Minister of South Africa, Mr. B. J. Vorster.

Thursday 10 June 2010

## **USA: Alabama coal miner killed in surface explosion**

*Extract from the Charleston Gazette, USA*

On Tuesday night, an Alabama man earlier this week became the 37th coal miner to die on the job this year in the United States.

Phillip W. Gustafson, 38, died in an explosion at Taft Coal Sales & Associates Inc.'s Choctaw Mine, a surface operation near Parrish, in Walker County, Ala., northwest of Birmingham. Gustafson was a service truck operator with about seven years experience.

According to a preliminary report from the U.S. Mine Safety and Health Administration, Gustafson was killed at about 9:45 p.m. while he was fuelling a blast hole drill rig. According to the report:

*The operator was in the process of fuelling the drill rig when an ignition/explosion erupted into a fire, engulfing him in flames. He was airlifted to a local hospital where he was pronounced dead on arrival.*

Friday 11 June 2010

## **USA: Exam done of key area in W.Va. mine disaster**

*Extract from Associated Press*

CHARLESTON, W.Va. — Exploratory teams have completed examining a key part of the West Virginia mine where 29 men died in the nation's worst coal industry disaster in 40 years.

The federal Mine Safety and Health Administration says teams explored the longwall mining machine and coal seam at Massey Energy's Upper Big Branch mine Thursday. The 1,000-foot-long machine removes coal by sliding a cutter back and forth across a seam.

Eight of the 29 men killed in the April 5 explosion were found along the longwall face.

Massey says the teams took air samples and worked without breathing equipment. Elevated levels of carbon monoxide and explosive methane gases had kept people out of the mine since April.

The teams are making sure it's safe enough for investigators to work in the mine.

## **W.Va. issues subpoenas in mine explosion probe**

*Extract from Associated Press*

CHARLESTON, W.Va. — West Virginia's mine safety chief says he's begun issuing subpoenas to reluctant witnesses to the nation's worst coal mining disaster in 40 years.

As of Friday, Ron Wooten says he's signed subpoenas for five people. All skipped interviews with investigators probing the April 5 explosion at Virginia-based Massey Energy's Upper Big Branch mine.

Twenty-nine men died in the blast. Investigators suspect methane gas and coal dust, but have not established a definite cause.

West Virginia rarely exercises subpoena power in mine investigations, but Wooten says investigators really need to speak with the people who've been subpoenaed. The state is working with the federal Mine Safety and Health Administration, which can only compel witnesses to appear at formal public hearings.

Saturday 12 June 2010

## **16 Chinese officials penalized after concealing deadly mine accident**

*Extract from Headliner Watch, USA*

SHENYANG, CHINA (BNO NEWS) – Sixteen officials were penalized for poor supervision after they attempted to conceal a fatal mine blast in northeast China's Liaoning Province in April, state-run media reported on Friday.

The Liaoning Coal Mine Safety Inspection Bureau (LCMSIB) penalized Hou Yunfeng, head of the Benxi Safety Inspection Bureau's coal mine department along with fifteen other safety officials. They received intra-Party and administrative penalties.

On April 10, the Xincheng Coal Mining co. mine in Liaoning's Benxi City exploded, killing six miners. The company did not report the accident to the LCMSIB for forty days, until May 20. The bureau and the Benxi police department launched a joint investigation the following day.

The investigation revealed that the mine was badly managed and in poor condition. The blast was caused by a spark as miners were dismantling metal rails and pipes.

Qin Fengxin, the mine owner, and Zhou Yan'gui, the manager, were detained by the police. The mining company was fined with 350,000 yuan for the accident and 3 million yuan for trying to conceal it.

## **USA: MSHA shakes up disaster team after learning of 'methane outbursts'**

*Extract from the Charleston Gazette, USA*

CHARLESTON, W.Va. -- Federal regulators investigating the Upper Big Branch Mine Disaster have removed one member of an internal review team after learning he was involved in the agency's response to previous "methane outbursts" at the mine. Those outbursts are a current focus of the state and federal probe.

U.S. Mine Safety and Health Administration officials are scrambling to figure out what preventative actions -- if any -- agency officials or Massey Energy mine managers took following the incidents in 2003 and 2004 at the Massey Energy mine in Raleigh County.

Investigators are concerned that later gas outbursts, in which mining activity caused large holes in the mine floor to open up and release methane, could have been one possible source

of explosive gases involved in the April 5 blast that killed 29 workers and injured two others.

Internal MSHA reports about the two methane outbursts were made public last week by The Charleston Gazette.

At the time of the previous incidents, longtime MSHA staffer Stephen Gigliotti was the agency's acting district manager in Southern West Virginia. Reports on the two incidents were directed to him, with recommendations from MSHA experts about what should be done to prevent a recurrence or at least minimize the potential dangers.

After the disaster, Gigliotti was initially made part of an MSHA team assigned to conduct an "internal review" of agency inspection and enforcement actions at Upper Big Branch prior to the explosion.

Last week, MSHA spokesman Jesse Lawder confirmed that Gigliotti had been removed from that assignment.

In an e-mail response to questions, Lawder said Gigliotti "was removed from the review team to avoid the potential for a conflict of interest since he was previously the acting district manager for district 4."

Gigliotti could not be reached for comment.

Tony Oppegard, a former MSHA staffer and longtime mine safety advocate, said the situation shows the need for changes in the way agency actions prior to major mining accidents are investigated.

In past mining disasters, MSHA has typically appointed officials from outside the district to both investigate the accident and to look into how well MSHA performed prior to the deaths. But Oppegard noted that it still amounts to the agency investigating itself, and that various connections about staff in small agency like MSHA are difficult to entirely avoid.

"There should be an outside, independent examination of MSHA's actions when you have

a disaster," Oppegard said Friday. "The current system is fraught with conflicts of interest."

The Upper Big Branch explosion was the worst U.S. mining disaster in 40 years. Investigators believe it involved an ignition of methane gas and was probably made far worse by a buildup of highly explosive coal dust.

Along with civil investigations by MSHA, the state Office of Miners Health, Safety and Training, Congress and special investigator Davitt McAteer, the Upper Big Branch explosion is the subject of a federal criminal investigation.

Already, the Obama administration, Labor Secretary Hilda Solis and MSHA chief Joe Main have been under fire for refusing to conduct the Upper Big Branch investigation through a public hearing. In closed-door interviews, MSHA officials have been questioning not only Massey workers and company officials, but also some of the agency's own inspectors, about what happened at the mine.

In the last week, investigators have been closely examining the MSHA reports about the 2003 and 2004 methane outbursts at Upper Big Branch and asking other agency officials for documents that would explain what actions were taken following the incidents.

MSHA officials have refused to discuss the incidents and have declined comment on the agency reports about them.

In one incident, on Feb. 18, 2004, workers deep inside Upper Big Branch heard a "big thump," just before the mine floor opened up, creating a 240-foot-long fracture that sent methane gas pouring into the mine.

Massey reported that other incident, on July 3, 2003, as a "methane inundation" of Upper Big Branch caused by an "extreme bump" and heaving of the mine floor.

"Mine personnel described the July 2003 outburst as a very high pressure event, comparable to the sound of a jet engine," according to an internal MSHA report.

Federal regulators concluded after the two incidents that a reservoir of natural gas below the Upper Big Branch Mine might easily be released into the active mining operation. They recommended a series of steps to try to prevent such incidents, or at least to control them, hopefully preventing an explosion or fire.

### 3 die in iron mine cave-in in east China

*Extract from People's Daily Online*

A cave-in in an unfinished iron mine killed three construction workers in east China's Anhui Province late Friday, local authorities announced Saturday.

The accident occurred at 9:30 p.m. Friday in Lilou Iron Mine run by Anhui Kaifa Mining Co. in Huoqiu County when eight workers were digging the ventilation shaft, the county's publicity department said in a statement.

Five workers escaped to safety, but three buried were found dead at about 8:20 a.m. Saturday, it said.

The mine has been shut down in wake of the accident.

Local work safety officials are investigating the cause of the accident.

Monday 14 June 2010

### S.Africa: Fatality at Harmony's Tshepong mine

*Press release, issued by Harmony Gold Mining Company Limited*

Johannesburg. Monday, 14 June 2010. Harmony Gold Mining Company Limited regrets to announce that an employee died in a rockfall accident at the company's Tshepong mine in the Free State on Saturday, 12 June 2010.

The rockfall occurred at approximately 12:45 on Saturday in a working place some 1,843 metres below surface.

Management together with the representatives of the Department of Mineral Resources commenced investigations into the incident.

Harmony's Chief Executive, Graham Briggs and his management team, express their sincere condolences to the family of the deceased and those affected by the incident.

### China: Miner Rescued after Being Trapped 11 Days in Flooded Mine

*Extract from CRIENGLISH.com*

One miner was rescued Monday after being trapped for almost 11 days in a flooded coal mine in north China's Shanxi Province, rescuers said.

Wang Daoguang, 42, had been trapped underground for 262 hours before he was lifted out of the pit at Jiaonan Coal Mine in Jincheng city at 3:39 a.m. Monday, said a spokesperson with the rescue headquarters.

Wang, though apparently weak, was able to talk when he was found by rescuers and has been rushed to hospital, the spokesperson said.

The coal mine was flooded at 5 a.m. on June 3, and 11 miners were trapped. Of them, Six were rescued on June 6 and four were confirmed dead.

### Mining dictionary

A guide to common mining terminology

#### W

**washing up** The process of collecting and separating the targeted heavy mineral collected in the riffles of sluice boxes, tail races etc, usually done with a pan.

-Ed