



Mining Accident News No.1032

29 October to 11 November 2010

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Friday 29 October 2010

USA: Massey Energy Safety Officials invoke the Fifth Amendment on Coal Mining Accident

Extract from www.mysmartrend.com

Massey Energy's senior safety officer and as many as five other company officials invoked

their Fifth Amendment rights in order to refuse to answer questions regarding the company's coal mining accident in April.

The government investigators are trying to uncover the cause of the worst coal-mining disaster in the US in 40 years.

The officials letters submitted said that they had done nothing wrong, but felt the investigations were not being conducted properly.

Massey Energy Company produces, processes, and sells bituminous, low sulfur coal of steam and metallurgical grades through its processing and shipping centers. The Company currently operates coal mines in West Virginia, Kentucky, and Virginia. Massey provides its coal to utility, industrial, and metallurgical customers.

USA: Union Wins Review of Mining Safety Drill Rule

Extract from www.courthousenews.com

The D.C. Circuit handed a miners' union a partial victory in its challenge of federal mine safety regulations, saying the government failed to explain why it chose to require annual instead of quarterly training sessions on seeking refuge in case of an accident.

In response to several high-profile incidents of trapped miners, the Mine Safety and Health Administration issued revised mine safety rules in 2008 under a congressional directive.

The United Mine Workers of America challenged two provisions of the new rules: the frequency of refuge training drills and the amount of space required per miner in refuges.

Pointing to recommendations from the National Institute of Occupational Safety and Health, the union said the new rule should require miners to practice using their refuge suits and chambers every three months, instead of once a year.

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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The institute conducted research indicating that after a year, only 10 percent of miners could remember the six steps for donning a self-contained rescue suit. By contrast, 70 percent of miners who practiced the steps on a quarterly basis remembered the steps.

If 90 percent of miners couldn't remember these six steps after one year, it would be even more difficult to recall the 18 sequential steps involved in activating and maintaining a refuge chamber, according to the institute, which recommended quarterly training.

The federal appeals court in Washington, D.C., agreed, ruling that the decision to do the training on a yearly basis "defies expert record evidence." It remanded the rule without vacating it, requiring the mining safety agency to explain its reasoning for this decision.

The miners also argued against a minimum 60-square-foot requirement for refuge spaces, saying that for short or narrow mines, this might result in coffin-shaped spaces. It also said the rule didn't consider larger people.

The D.C. Circuit rejected these claims, pointing to mining companies' comments that the requirement of higher-volume spaces would reduce the effectiveness of refuge chambers.

7 Dead, 1 Missing after Blast at Coal Mine in S.China

Extract from CRIENGLISH.COM

A gas explosion at a coal mine in southwest China's Sichuan Province Friday morning killed seven miners and left one missing.

The explosion occurred at around 11 a.m. when 13 miners were down the shaft of the Zhaojiahe Mine in Wanyuan City, according to a statement from the Sichuan Administration of Work Safety.

Rescuers saved six miners but one of them died on the way to hospital. They also recovered six bodies. One miner is still unaccounted for.

Search continued for the one still missing.

Sunday 31 October 2010

Rwanda mining accident kills 11

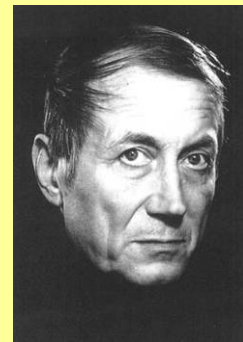
Extract from Daily Nation, Kenya

KIGALI; Eleven miners have died in an accident at a tin mine in the Rwamagana district of eastern Rwanda, a police spokesman said Sunday.

"Ten of them were already dead when they were pulled out ... and the eleventh, who was still alive, was taken to hospital but died there," Eric Kayiranga told AFP about the accident which happened on Saturday.

Accidents of this type are relatively frequent in the small tin ore mines in the region.

Quote of the week



"Envy is an insult to oneself."

Yevgeny Yevtushenko
(Soviet & Russian poet; 1933-)

Tuesday 2 November 2010

NSW: Underground mine collapse report recommends changes to Wollongong mine

Extract from ABC News Online, Aus

An investigation by the New South Wales Government into an underground mine collapse north of Wollongong has led to changes at the operation.

The Department of Industry and Investment investigated after a section of roof caved-in, trapping two miners in Gujarat N-R-E's Number One colliery at Russell Vale a month ago.

A Department spokeswoman says the collapse was caused by an undetected change in the strata of the roof.

She says a thick band of shale meant the support holding it up wasn't effective.

The investigation recommended a drill coring program to determine the thickness of the shale and increased monitoring of the roof in several areas of the mine.

It's understood Gujarat N-R-E's made the changes by increasing the number of reinforcement bolts in the roof and improving monitoring systems.

This week in mining accident history

6 November 1922

Reilly No.1 Mine

Spangler, Pennsylvania, USA

Underground coal mine

79 killed by gas explosion

Source: www.scottishmining.co.uk

At 7:20 a.m. on Monday 112 men had begun work when the explosion occurred, blowing out some stoppings and overcasts and also the side and end walls of the fan housing. Help was called from other mines and from the Bureau of Mines at Pittsburgh.

The fan housing was patched and the fan started, making the concrete-lined, 112 foot shaft an intake. Recovery workers without apparatus encountered a live man making his way out to fresh air and brought him and four others out. All were badly affected by afterdamp, as were 18 of the rescuers. Apparatus crews were then admitted, and 22 other survivors were rescued. Five other men made their way out unassisted.

Seventy-six bodies were found, and 3 of the rescued men died. Gas that had accumulated in one or more rooms through open doors and deficient ventilation was ignited by the miners' open lights. Fireboss examinations were neglected and incomplete.

The mine had been rated gaseous in 1918, but at the instance of the new operators it was rated as non-gaseous although a fireboss was employed and men burned by gas on at least 4 occasions. The low-volatile dust of this coal helped to spread the explosion but without great force or flame. Conditions found by the investigators are shown. (Courtesy of the U.S. Bureau of Mines Report:)

Spangler, PA Reilly Shaft No. 1 Mine Explosion, Nov 1922

75 LOSE THEIR LIVES IN SPANGLER MINE BLAST.

GAS FUMES AND DEADLY "BLACK DAMP" SPREAD DEATH THROUGH WORKINGS AFTER THE EXPLOSION.

THIRTY-THREE MEN RESCUED ALIVE FROM UNDERGROUND INFERNO SEVERAL HOURS AFTER THE EXPLOSION, BUT THREE OF THEM DIE FOLLOWING REMOVAL FROM THE MINE.

MAJORITY WERE KILLED BY EXPLOSION.

Spangler, Pa., November 7, 1922.

Reilly Shaft No. 1, the scene of the greatest mine disaster in the annals of Central Pennsylvania's mining history, has at last given up its death toll due to yesterday morning's terrific gas explosion. Rescuers at noon today had explored almost the entire mine workings, extending for two and one-half to three miles under the Cambria County hills.

According to their records they have discovered and removed from the mine 107 unfortunate miners. Of this number 32 were taken out alive, but three succumbed to their injuries which makes the total of dead 75. Of the remaining 30 rescued all are at the Spangler Hospital and the attending physicians who are doing everything in their power for them, say all will recover.

The explosion which wrecked the shaft was responsible for the major portion of the deaths, as was demonstrated by the condition of the bodies when found. Many of the men had their

eyes blown out, while all were bleeding from the mouth and ears. Those closest to the scene of the blast had their faces badly mashed or broken.

The rescuers have explored all but one small section of the mine which is filled with water. The water is being rapidly pumped out and, while it is feared there may be more bodies found, it is hoped that none were working in this shaft, as it had always been wet.

Of the 78 dead all have been recognized but six, whose features were torn and scared by the exploding gas that identification was simply out of the question, and they will be buried in a common grave.

Fire Boss Flanigan, who inspected the mine one hour before the explosion and reported it safe, is among the dead. The temporary morgue where the bodies were located was visited this morning by the sorrowing relatives of the dead men, who hope as they would recognize the loved one they would take up and remove the body to their home.

The dead are nearly all young men between the ages of 18 and 25 years, and are largely Americans or English speaking.

President John Brophy of District No. 2 went to Spangler from District headquarters in Clearfield last evening and spent several hours at the scene. He knew many of the men personally and hauled coal in his early youth from Fire Boss Pat Flanigan, who was literally blown to pieces by the explosion. Mr. Brophy says this is the worst affair of its kind in District No. 2 proper in its history, although the Rolling Mill mine disaster at Johnstown several years ago took the lives of more than one hundred miners. The treasury of District No. 2 will be hit by the awful disaster to the extent of approximately \$15,000, as membership in the U.M.W. of A. carries with it a death benefit of \$200.

Spangler, Pa., Nov. 7, 1922.

The bodies of 59 miners who lost their lives in the explosion that wrecked Reilly Shaft No. 1

here yesterday, have been brought to the surface at noon today. The rescuers have penetrated at least two and one-half miles from the bottom of the shaft. Forty-three of the bodies, which were placed in an improvised morgue in the United Mine Workers hall here, have been identified.

Thirty miners who had been rescued and rushed to the Spangler hospital suffering from gas poisoning, will probably recover. (from *"The Clearfield Progress,"* Clearfield, PA, Nov. 7, 1922.)

LAYS SPANGLER DEATHS TO MINE MANAGEMENT;

Coroner's Jury Finds Explosion Due to Use of Open Lights When Presence of Gas Was Known.

November 23, 1922, Thursday

BARNESBORO, Pa., Nov. 22.--The management of the Reilly Collieries Company Mine No. 1, at Spangler, was held responsible for the gas explosion in the underground workings on Nov. 6. when seventy-seven men met death. In the Coroner's jury verdict returned here today.

(from the *"New York Times,"* New York, NY, Nov. 22, 1922.)

Wednesday 3 November 2010

China: Two sentenced to death in mine accident

Extract from UPI.com

TAIYUAN, China, -- Two men were sentenced to death for illegally trading and storing explosives that killed 17 people at a Chinese coalmine in July, officials said.

The Intermediate People's Court in Linfen City passed the sentence Wednesday, and it gave 11 others involved in the accident prison terms, the official Xinhua news agency reported.

The court said Cai Yongsheng, owner of the Liugou Coal Mine in Yichen County, ignored a

closure order issued by the city's mining officials, and continued to purchase and store explosives at the mine.

By the time the explosion occurred, more than 5,000 pounds of explosives and nearly 10,000 detonators were illegally stored at a temporary warehouse close to the mine's entrance, the report said.

The court said Liu Xiaojun, the other man sentenced to death, illegally produced, traded and transported the explosives.

The mine was among 1,355 small coal mines shut down by the Chinese government in the first nine months this year to improve work safety and protect the environment.

US Seeks to Shut Massey Mine in Kentucky

Extract from The Wall Street Journal, USA

Federal safety officials took the unprecedented step of seeking a court injunction to shut a Massey Energy Co. coal mine that had hundreds of safety violations, saying the mine was unsafe to operate.

Richmond-based Massey has been the focus of greater regulatory oversight following the April accident that killed 29 workers at its Upper Big Branch mine in Montcoal, W.Va., in the worst coal-mining accident in 40 years.

The Labor Department filed a preliminary injunction Wednesday in U.S. District Court for the Eastern District of Kentucky to close Massey's Freedom Mine No. 1 in Pike County, Ky., until safety hazards are addressed.

Federal officials say they issued nearly 2,000 citations between July 2008 and June 2010 for safety violations at the mine. They also noted that six major roof falls had occurred since August, 2010 at the mine, which employs about 130 miners. "If the court does not step in someone may be seriously injured or die," said Joseph A. Main, head of the agency.

"Massey does not believe the mine is unsafe," the company said in a statement. Massey said the large, older mine has struggled to comply with newer federal safety standards. It is considering idling the mine until it can meet those standards, Massey added.

Massey has taken steps to improve safety since the April accident. It stopped production at all of its underground mines last Friday, and had all of its workers in those mines attend safety-review training sessions. The company also increased its staff of safety personnel to conduct its own inspections and root out unsafe practices.

Massey's coal production and its earnings have suffered since the accident, and it is exploring a potential sale, according to people familiar with the matter. It also faces several lawsuits stemming from the accident from shareholders and the estates of deceased miners.

USA: State mine safety office faces major shakeup

Extract from the Charleston Gazette

CHARLESTON, W.Va. -- West Virginia's mine safety agency is facing a major shakeup as the state's coal industry experiences its deadliest year in three decades.

A day after Gov. Joe Manchin won election to the U.S. Senate, Manchin announced the departure of Ron Wooten, director of the state Office of Miners Health, Safety and Training.

And the safety office is also expected to lose its longtime administrator, Terry Farley. Wooten and Farley are both expected to take jobs in the private sector.

On Wednesday morning, Manchin announced that he had promoted deputy director C.A. Phillips to serve as acting director.

Phillips, a McDowell County native, is a former United Mine Workers safety officer and had worked for the state mine safety agency for more than 10 years.

"C.A. Phillips is recognized throughout the mining community as a strong leader and a man who cares deeply about mine safety," Manchin said in a prepared statement. "His leadership and experience will make this a smooth transition for the agency, its employees and the mining industry."

Phillips said he has already appointed as his acting deputy, Eugene White, the chief inspector in charge of the agency's Danville regional office.

"I truly believe that the most precious resource in the mining industry is the miner," Phillips said. "I appreciate the confidence Governor Manchin has shown in me with this appointment."

Wooten's resignation marks the second time in the last four years that the mine safety office has faced leadership changes amid investigations of major mining disasters.

In February 2006, after the Sago Mine Disaster and the Aracoma Mine fire, Doug Conaway left the agency director's job for a job with Arch Coal. West Virginia University mining instructor James Dean then held the post until Wooten was appointed in late August that year.

At the time, UMW President Cecil Roberts said that the union would have preferred that Phillips get the post instead of Wooten, who is a former CONSOL Energy safety director.

In a statement issued Wednesday, Roberts said that Phillips' appointment "marks a new day for West Virginia's miners, as there will be someone in that office who understands what it means to pack a lunch bucket and go to work in a coal mine every day."

Phillips began working in the mining industry in 1969, working for Olga Coal Co. He served in several positions for the UMW, including international representative for the union's safety and health department and as an international executive board member for Districts 29 and 17.

Bill Raney, president of the West Virginia Coal Association, said his group would work with Phillips' in his role as acting director.

"We don't have any problems with him," Raney said. "He's been very even handed."

But Raney said it was too soon to say if the coal industry would support Phillips being named to the job permanently.

Thursday 4 November 2010

USA: Massey Mine Explosion Said to Be Probed by Two Grand Juries

Extract from Business Week

Two federal grand juries are investigating the April 5 explosion of a Massey Energy Co. coal mine that killed 29 miners, according to a person close to the investigation.

The blast at Massey's Performance Coal operation in Montcoal, West Virginia, the worst U.S. mine disaster in 40 years, set off federal and state investigations into its cause, including a criminal probe by the U.S. Justice Department. Performance Coal ran the Upper Big Branch mine for Massey.

The federal Mine Safety and Health Administration, the state mine safety agency and West Virginia's governor are also conducting investigations.

The two grand juries have divided tasks and are meeting in two different cities, Charleston and Beckley, West Virginia, the person said. The Charleston grand jury is investigating allegations that some mine inspectors may have accepted bribes from Massey employees so that the company's mines could receive preferential treatment when being inspected, said the person, who couldn't be named because the deliberations are secret. The Beckley grand jury is investigating the explosion itself, according to the person.

Jeff Gillenwater, a Massey spokesman, didn't immediately return a call for comment.

The U.S. Attorney's Office in Charleston told investigators at the federal safety agency in May that it was investigating possible "willful criminal activity" at Massey's Performance Coal unit.

Letter to Officials

The communication was contained in a letter to federal safety officials asking them to suspend some pending civil actions involving the unit until after the criminal probe was completed, according to the document. The letter didn't specify which civil actions would be suspended.

The U.S. Attorney's Office has been receiving copies of the transcripts of interviews being conducted by the West Virginia Office of Miners' Health Safety and Training, MSHA and a group formed by West Virginia Governor Joe Manchin to investigate the cause of the incident, according to the federal safety agency.

A total of 247 interviews were conducted as of Oct. 27, the federal agency said on its website. The West Virginia mine safety agency has subpoenaed witnesses and "approximately 15 Massey upper-management employees have pled their Fifth Amendment right not to provide potentially self-incriminating evidence during the interview process," according to MSHA.

Quash Subpoenas

Lawyers for six of these employees asked a West Virginia judge in September to quash subpoenas from the state's mine safety director requiring them to answer questions about the April explosion. The West Virginia attorney general subsequently agreed that any witness who wanted to invoke the Fifth Amendment if subpoenaed by the Office of Miners' Health Safety and Training could do so by letter and wouldn't be compelled to attend a hearing in person.

Lawyers for the employees said the state agency is being used by MSHA, which has limited subpoena power, to force these managers to testify in private, calling it an abuse of process.

The six individuals include Upper Big Branch Mine Manager Wayne Persinger, Massey Energy Vice President for Safety Elizabeth Chamberlin, UBB Mine Foreman Rick Foster, UBB Mine Superintendent Gary May, UBB Chief Electrician Rick Nicolau and Massey employee Jamie Ferguson.

Declining to Testify

Attorneys for the Massey employees sent letters to the West Virginia attorney general last month declining to testify, contending they were being improperly subpoenaed to give testimony in private. The lawyers said MSHA was trying to deflect its own complicity in the April 5 explosion.

The subpoenas were being used more as a means of "generating public bias against Massey Energy and its personnel than they are in respecting the rule of law and fair process," Chamberlin's attorney, Philip T. Inglima of the Washington law firm Crowell & Moring LLP, wrote on her behalf.

The federal agency had "dominated" the joint investigation of the explosion by MSHA, the governor's task force and the state safety agency, Inglima said.

"Some witnesses had been bullied or abused by some of the questioners -- particularly by representatives of the governor's task force," he wrote. MSHA "reportedly was using transcripts of these inquisitions to advance its effort to promote a criminal investigation of the Upper Big Branch tragedy, while affording the witnesses no opportunity to review, much less approve, the content of the transcripts," he said.

He said his client is "blameless."

The six employees' case is In the Matter of Administrative Subpoenas issued by the West Virginia Office of Miners' Health, Safety & Training, 10-P-22-H, Circuit Court, Raleigh County, West Virginia (Beckley).

Saturday 6 November 2010

Rescuers find one more dead miner trapped under ground at Rospadkaya

Extract from ITAR-TASS

KEMEROVO, (Itar-Tass) -- Rescuers have found the body of one more worker trapped under the ground at the Rospadkaya mine in the Kemerovo region after an accident in May of this year.

Currently, 16 miners are still missing.

After the body has been lifted to the surface, it will be identified.

Kemerovo region Governor Aman Tuleyev told Itar-Tass on Saturday, November 6, "Work is underway in very difficult conditions at a depth of 300-400 metres. Water continues to be pumped out. Rescuers are removing the rock that crashed because of the flooding."

"Nevertheless, the search will continue until the bodies of all missing miners are found," he said.

Monday 8 November 2010

Two Chilean miners trapped underground

Extract from Reuters

SANTIAGO - Two miners were trapped underground in the Chilean desert, local authorities said Monday, near the site where 33 miners were pulled from the depths in a months-long rescue that attracted world attention.

Atacama region intendant, Ximena Matas, told Reuters at least two people were trapped in what could be an accident involving explosives at a very small mine about 30 miles east of the city of Copiapo.

"One person escaped and he is at the hospital giving a statement," Matas said. "In principle, two people are trapped at the mine."

She could not confirm local radio reports that one miner was killed in the accident.

The mine was a small deposit made up of narrow shafts wide enough to fit only a few workers, Matas said.

The stunning rescue of 33 miners trapped for 69 days deep down a copper and gold deposit in the Atacama desert captured the world's attention in mid-October.

Tuesday 9 November 2010

2 dead, 1 hurt in Chilean mine accident

Extract from Montreal Gazette

SANTIAGO, Chile — Two mine workers were killed and a third was injured in an accident with explosives in Chile, officials said Monday.

The deaths come less than a month after the dramatic rescue of 33 Chilean miners who spent 70 days underground.

The latest accident happened in the Los Reyes mine, national media reported, quoting police officials in the region. Earlier reports from Ximena Matas, governor of the Atacama region, indicated the dead had been buried in a mine collapse.

The mine is in the Atacama Desert just 40 miles from Copiapo, the town near the site of the earlier accident.

Five Trapped Miners Confirmed Dead after Gas Blast

Extract from CRIENGLISH.COM

The bodies of five miners trapped underground were retrieved Tuesday following a deadly explosion in a small unlicensed coal mine in southwest China's Guizhou Province Monday, local authorities said Tuesday.

The five bodies were lifted out of the mine shaft at round 7 p.m. Tuesday in Qinglong County in landlocked Bouyei-Miao Autonomous Prefecture of Qianxinan, according to officials at Qinglong rescue headquarters.

Gas in the mine exploded Monday night, injuring two miners and trapping five, the emergency response office in Qianxinan said Monday.

Following the explosion, the deputy county chief of Qinglong County in charge of work safety was suspended from duty pending investigation, said headquarters officials.

Wednesday 10 November 2010

WA: Reaching out to bereaved families

Extract from Australian Mining

A WA-based not-for-profit organisation established to assist the dependants of mine workers killed or permanently disabled through accident or illness is welcoming support from the mining community.

Miners' Promise, chaired by Ian Fletcher - vice president of external affairs at BHP Billiton, was officially launched at a WA Mining Club function earlier this year.

It is a legacy scheme developed to support the needs of families confronted with the death or permanent injury of a family member who is employed within WA's resources sector.

Miners' Promise seeks to assist the families of its members to obtain more immediate assistance during the first eight to 10 weeks while the family waits for the settlement of the estate - or significantly longer if it is a violent or accidental fatality.

When a subscribing member dies the Miners' Promise immediately advances up to \$50,000 to the dependants against the insurance policy.

Miners' Promise executive officer and secretary Peter Browne, a retired Police Officer and Manager of WA Police Legacy for seven years until July 2009, said the scheme provided support at a critical time for families.

"We can start advancing money immediately to affected families to deal with the issues of mortgages, car payments and funeral expenses," Browne told Australian Mining.

"We take the financial anxiety out for families and allow them to grieve."

There are many other benefits made available to dependants in addition to this monetary award.

They relate to family support and counselling services, home maintenance, financial planning help, legal support and advice and several others.

For four dollars per week, employees in the resources industry of Western Australia can join the scheme which is underwritten by Hannover Life Re of Australia.

Other members of the management Committee include Helen Fitzroy, author of Just a Number, whose husband, Steven, was killed in a WA underground mining accident in 1991.

She has experienced firsthand the problems of dealing with rebuilding a 'normal' life since her husband's death for herself and her three children.

Fitzroy said that seeing the Miners' Promise become a reality is a dream come true.

"Nineteen years ago I lost my husband in a mining accident and for seven years after his death I was left, with very little support, to deal with the inevitable aftermath of that traumatic event," she said.

"The Miners' Promise will ensure that no dependent feels like they are alone during a time when support is so crucial."

Mining dictionary

A guide to coal mining terminology

A

ADVANCE Exploitation in the same direction or order of sequence as development is known as mining in advance.

-Ed