



# Mining Accident News No.1107

25 February to 5 March 2011

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## Friday 25 February 2011

### USA: MSHA cited Consol Energy over fatal mine accident

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

The federal Mine Safety & Health Administration has cited Consol Energy Inc for a violation it says contributed to the death of a West Virginia coal miner in July 2011.

A report said that Consol didn't adequately support a section of the wall that fell on 39 year old Ms Jesse Adkins at its Loveridge No 22 mine.

Ms Adkins was pinned between a piece of heavy equipment and a 23 foot long, 4 foot wide chunk of rock at the Marion County mine.

The accident occurred while Consol was mining through rock. MSHA says the company has started installing bolts in the walls of such areas when it mines through them.

## Saturday 26 February 2011

### China coal mine deaths fall 'but still remain high'

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

BEIJING - Colliery fatalities have dropped for the fifth consecutive year, though the death toll remains high in the world's largest coal producer, according to a leading work safety official.

Spokesman and chief engineer for the State Administration of Work Safety, Huang Yi, said in a news conference by the State Council's information office on Friday that 2,433 people died in coal mine accidents in China last year, 198 fewer than in 2009.

The figure represents an average daily death toll of more than six people.

However, the declining death toll, a 7.5 per cent drop, highlights improving underground conditions amid an upgrade in safety and management, he said.

The number of coal mine accidents in 2010 also declined 13.2 per cent year-on-year, the spokesman said.

According to earlier Xinhua reports, citing safety and mine officials, 4,746 people died in mine accidents in 2006; 3,786 in 2007; 3,214 in 2008 and 2,631 in 2009.

Huang said his administration closed 21,200 illegal coal mines and slashed the number of small-scale mining operations from 18,145 to 9,042 over the past five years.

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

The administration also oversaw a major reduction of gas levels in the mines, he said.

Moreover, Huang added, the administration will issue standards for the use of facilities in shelters, which must be built in all mines over the next three years.

"The fatality rate per million tons of coal produced decreased 73 per cent in the past five years and it will further fall 28 per cent over the next five years," Huang said.

Huang told China Daily the administration set the compulsory target because coal mine safety remains "the priority of priorities".

He added China can meet safety targets and "the achievement will lay a critical foundation for China to turn around its work-safety status by 2020, when safety levels will equal that of moderately developed countries".

However, Huang said challenges remain. The safety culture has not taken root and many mines ignore or pay little attention to it, he said.

China's total coal production has risen from 2.1 billion tons in 2005 to 3.2 billion tons in 2010, when it reached 45 per cent of the world's total output, Director of the National Development and Reform Commission Zhang Ping said in January.

High fatality rates have plagued the industry.

Deaths per million tons of coal extracted are 30 to 50 times that of developed countries, Fang Junshi, head of the National Energy Administration's coal department said in September 2009.

Some critics even suspect the credibility of the fatality statistics, alleging lax regulation, corruption and officials' liability for accidents often result in underreporting of deaths.

After a mine explosion in Mianchi county, Henan province, in December 2010, police investigations found four bodies were deliberately hidden in the mine and seven

suspects colluded to underreport nine other bodies.

The administration also vowed that one of its key tasks in 2011 is to tighten investigation procedures and severely punish those who cover up accidents, lie or delay their reports.

A total of 79,552 people died in 363,383 accidents in the country last year.

The number of fatalities was 4.4 per cent down on 2009 figures and the accident rate was 4.2 per cent lower, the administration reported.

### Quote of the week



"It is better to die on your feet than to live on your knees."

Dolores Ibarruri  
(Spanish republican leader, 1895-1989)

Thursday 3 March 2011

## USA: Massey official charged with lying to FBI in mine investigation

*Extract from Washington Post*

A top official at a Massey Energy subsidiary has been charged with lying to the FBI and obstructing justice in the investigation of the West Virginia coal mine explosion that killed 29 miners, the first criminal charges in connection with the worst U.S. mining accident in 40 years.

Hughie Elbert Stover, chief of security at the Upper Big Branch mine and at two other Massey operations, was indicted last week on charges of making false statements to federal agents and obstructing a federal investigation. The indictment, returned by a federal grand jury in

Charleston, W.Va., was unsealed Monday after Stover was arrested at his home.

The Justice Department in April began a criminal investigation of the deadly April 5 blast and the circumstances surrounding it. The Upper Big Branch mine in Montcoal, W.Va., is owned by Richmond-based Massey Energy Co., which had been cited for numerous safety violations. Stover works for Performance Coal Co., Inc., a Massey subsidiary that operates.

In recent weeks, Massey officials and federal investigators have disputed the cause of the explosion. The Mine Safety and Health Administration presented preliminary findings from its investigation, saying Massey records and other evidence pointed to poor maintenance as the cause. Massey has rejected nearly every part of the government's contention.

The indictment charges that Stover 60, of Clear Fork, W.Va., lied to an FBI agent and an investigator for the mine safety administration, who were probing allegations that security guards at the Upper Big Branch mine routinely notified mine workers when federal inspectors had arrived at the facility. Such notification could prevent inspectors from fully evaluating the mine's operations.

Stover, the indictment said, denied that such a practice existed and told agents that he would have fired any security guard who provided such advance notice. In reality, the indictment says, Stover personally instructed security guards to notify mine personnel whenever federal inspectors arrived at the mine.

The indictment also charges Stover with attempting to impede the federal investigation by causing someone, whose identity was not revealed, to dispose of thousands of pages of security-related documents stored in a Massey building near the Upper Big Branch mine.

It was unclear if a lawyer for Stover has been appointed, and Massey officials could not immediately be reached for comment.

Assistant Attorney General Lanny A. Breuer of the Justice Department's Criminal Division said the indictment "shows our deep commitment to getting to the truth about what happened, including holding to account anyone who may impede this critical investigation."

## This week in mining accident history

**25 February 1917**

**North Star Mine**

**Hailey, Idaho, USA**

**Underground gold mine**

**15 killed, snowslide**

Source: [www.3.gendisasters.com](http://www.3.gendisasters.com)

### SLEEPING VICTIMS BURIED IN RUINS OF BUNKHOUSE AT NORTH STAR MINE

#### OVER 16 INJURED SERIOUSLY

**Disaster at Mine 12 Miles Northeast of Hailey-Rescuers Face Peril-Danger of Another Slive [sic], Workers Are Recalled.**

Boise, Idaho.-Fifteen men were killed and 15 injured when a giant snowslide destroyed the bunkhouse, compressor houes [sic] and warehouse of the North Star mine, 12 miles northeast of Hailey, Idaho, at 3:30 o'clock Sunday morning.



#### The Dead

Bodies of these men have been taken from the debris:

JOHN FLEMING, ELTON G. COOLEY, JACK VAUGHN, JAMES PETERLINE, PHIL WELCH,

JOHN PURNELL, FRANK P. MANGINGO, ROY JUDD, SAM LABARGE.

The following six men are missing and all are believed to be buried beneath the slide:

**Missing**

JOHN KISTLE, JOHN HEARN, JACK MCKELVEY, EMMETT P. RUSSELL, W. R. MOTLEY, W.S. SCHMIDT.

**Injured**

On the list of those injured is TOM JAY, mine superintendent; A. E. WOOD is in a precarious condition, with his back broken and hip fractured. Otherwise on the injured list are:

GEORGE LEE, JACK LINDSEY, L. O. BEESON, BERT JUDD, E. C. JONES, J. R. CARTER and PETE PETERSON.

Immediately upon receiving news of the disaster a special train conveying physicians and rescue workers was run from Hailey to Gimlet, from where the party was obliged to travel six miles to the mine in sleighs.

It is reported that three of this number are dangerously injured. The bodies of the dead were left at the mine temporarily.

The disaster is the worst in the history of Wood River mining. Of the men killed FLEMING, LABARGE and RUSSELL leave families living at Hailey. VAUGHN, KISTLE, MCKELVEY, WELCH and ECHMIDT are Hailey men. MANGINGO was timekeeper at the mine.

**Slides Numerous**

A fall of two and one-half feet of snow during the previous three days, followed by rain, has resulted in numerous slides in the North Star district, many in places where they never were known to occur before.

At the time of the accident the Federal Mining and Smelting company had 60 men employed at the mine and 115 at work at the mill two miles below. The officials have announced that because of dangerous conditions prevailing they

will close the mine for the remainder of the winter.

*The Genesee News, Genesee, 2 Mar 1917*



Over 20 men escaped uninjured. Of the 85 men employed only 65 were at the mine and they are all accounted for.

The avalanche destroyed the office, storeroom, changing room, two-story bunkhouse and compressor room of the Federal Mining & Smelting company, smashing them into kindling wood.

The Bell telephone line being out of commission the Hailey Electric Light works was called over the Federal Company's private line and Superintendent Rising was urged to send all the physicians and able bodied men available to the scene of the tragedy.

Mr. Rising thereupon aroused Doctor Wright by telephone and he called doctors Kleinman and Plumer of Halley and Doctors Byrd and Dutton of Bellevue, all of whom responded immediately. After consultation doctor Plumer was left in Halley to look after the relatives of the victims of the tragedy, many of whom resided in Hailey, and the other physicians left for the North Star mine which they reached about 8 o'clock. They immediately turned the mill office into a temporary hospital.

A veterinary surgeon had begun to give first aid in the company's office at the mill and had bandaged some of the rescued when the Halley and Bellevue physicians arrived. In the meantime the mill hands and the mill employees who were unhurt had been rescuing those whom

they could reach. By 9 o'clock about 100 men were engaged in rescue work. Some of the men were buried under 20 to 30 feet of snow. Several of the dead showed no marks of injuries and are supposed to have suffocated. Others showed cuts and bruises.

The company did all it could to locate the relatives of the dead or injured. The train was held at the siding near Gimlet for the purpose of taking the injured, accompanied by doctors, volunteer assistants and miners, to Hailey and Bellevue.

Of the injured two died a short time later, making 17 deaths all told.

This awful calamity has a parallel in Idaho, the number of deaths being the same as in the Coeur d'Alenes a few years prior when , an avalanche crashed through a part of the city of Wallace. It brought sorrow to many homes in Hailey where so many people were closely related by blood or marriage.

History of Alturas and Blaine Counties, Idaho Hailey, Idaho: Hailey Times, 1930, pages 95-96



[The North Star Mine, as it is today.](#)

Wednesday 2 March 2011

## **USA: Saline County mine in danger of closing?**

*Extract from CarmiTimes.com*

Springfield, Ill. — Illinois State Sen. Gary Forby (D-Benton) and Illinois State Rep. Brandon

Phelps (D-Harrisburg) are calling on Gov. Pat Quinn to step in and take quick action to prevent Willow Lake Mine from shutting down.

The mine's closure would result in a loss of 500 permanent mining jobs and affect an additional 3,500 indirect jobs in the state, the two southern Illinois Democrats said.

"We are 100 percent behind Willow Lake coal mine and its workers," said Forby. "We will continue to do everything we can to fight for this mine and prevent it from being shut down. We have sent a letter to the governor's office, as well as other elected officials, asking them to step in and do whatever they can to keep this site operating. Our area, and our state, cannot afford to lose hundreds of good-paying jobs."

Over the past two years, federal regulators with the Mine Safety and Health Administration (MSHA) have written more than \$230,000 proposed fines and citations at Willow Lake Mine in Saline County, but in an effort to address MSHA's concerns, Willow Lake Mine began idling production last year to focus more on safety.

Recently, Willow Lake earned recognition from the John E. Jones Council of the Holmes Safety Association as the safest underground mine in the region during 2010's fourth quarter. According to the letter, the mine has reduced the number of violations in permissibility and ventilation by 100 percent and reduced its overall accident incident rate by 89 percent.

"This is an issue of fairness," Phelps said. "Willow Lake Mine was just named one of the safest coal mines in Southern Illinois for last quarter, but it appears MSHA is still singling them out. While we continue to promote mine safety throughout our region, we believe Willow Lake has made a concerted effort to improving safety standards and should remain open. We will continue to fight to keep the mine operating safely and efficiently."

## Chile Congress blames San Jose mine owners for collapse

*Extract from BBC News, UK*

**A congressional commission in Chile has blamed the mine owners for the rockfall which left 33 men trapped underground for 69 days last year.**



The miners spent 69 days underground after last year's accident

The commission said Alejandro Bohn and Marcelo Kemeny were guilty of negligence, a charge they deny.

The investigation also concluded that the Chilean mine safety regulator bore some responsibility for failing to enforce its rules.

Workers said the mine lacked basic safety standards.

The commission unanimously found mine owners Alejandro Bohn and Marcelo Kemeny responsible for the collapse in August 2010, which cut off the miners at a depth of more than 700m (2,300ft).

### Safety failings

Alejandro Garcia Huidobro, who lead the congressional commission, said Sernageomin, the state body tasked with regulating the industry, was "administratively responsible" for the accident.

The commission has handed Mining Minister Laurence Golborne suggestions on how Sernageomin could be improved.

Congress is expected to vote on the suggestions put forward by the commission on Thursday.

Mr Golborne praised the work of the commission, which took five months to draw up the report.

He said some work had already gone into strengthening Sernageomin by increasing its budget and the number of safety inspectors.

Relatives of the miners and some of the men themselves have fiercely criticised the mine owners, accusing them of ignoring safety guidelines, and Sernageomin for not closing down the company despite three deaths at its mines over six years, and dozens of accidents.

The BBC's Gideon Long in Santiago de Chile says some of them are pursuing legal challenges against the mine owners.

He says the miners want compensation, and some of them have said they would like to see Mr Bohn and Mr Kemeny sent to jail.

The fate of the 33 men trapped in a hot, dark tunnel for 69 days gripped the attention of people around the world.

Millions watched as they emerged one by one from underground after a massive rescue operation had managed to drill a hole large enough to pull them to the surface.

## USA: Miner Hurt in Accident in McDowell County

*Extract from wnstv.com*

**The accident happened Wednesday at a New West Virginia Mining Company operation.**

CHARLESTON -- A McDowell County miner suffered serious injuries in an underground fall Wednesday.

Leslie Fitzwater, with the W.Va. Office of Miners' Health, Safety and Training, said the miner was working on a roof bolting machine when he fell.

She said he was flown to Charleston Area Medical Center with serious injuries that are not believed to be life-threatening.

The accident happened at New West Virginia Mining Company's Apache mine near Elbert in McDowell County.

## USA: Man killed at PotashCorp mining facility

*Extract from ENCToday.com*

AURORA (Beaufort County, North Carolina) — A superintendent was killed at the PotashCorp mining facility around 5 p.m. Wednesday.

The dead man was identified as David Clark, 51, of Chocowinity, a veteran employee of Trader Construction Co. Clark was a superintendent with the company with more than 30 years of industrial construction experience.

"There are other agencies that will be called in to determine the circumstances of the accident," Lonnie Dow, a member of the management team of Trader Construction Co. in New Bern, said Thursday.

He said the Mine Safety and Health Administration, a branch of the U.S. Department of Labor, was at the Aurora operation to investigate.

Clark spent 24 years at the Trader Construction Company in New Bern and was a contract worker at the PCS plant. An accident claimed his life Wednesday, at a mine with a clean safety record, according to the federal Mine Safety and Health Administration.

Friends and family are shocked that Clark died at one of the safest mines in America. Federal agents are still on the property, but they haven't revealed what triggered the fatal accident.

Trader Construction Co. and PotashCorp mining facility are also working to determine the cause of the fatal industrial accident, he said.

Grief counseling has been set up at the Aurora plant for all employees, Dow said.

### Proximity Detection Workshop

8-9 February 2011, presentations available at

<http://www.dpi.nsw.gov.au/minerals/safety/publications/seminar-presentations/2011-proximity-detection-workshop>

Friday 4 March 2011

## USA: MSHA Tells Congress It Needs More Mine Safety Laws

*Extract from ABC News, USA*

Federal mine regulators need stronger laws to protect the nation's underground coal miners, particularly when it comes to protecting whistle blowers and criminally charging operators who deliberately cut corners on safety, the head of the Mine Safety and Health Administration said Thursday.

In testimony to the House Subcommittee on Workforce Protections, MSHA chief Joe Main called for more legislation and a bipartisan effort to save lives, support good operators and hold bad operators accountable.

Main told the chairman, Republican Rep. Tim Walberg of Michigan, he was not recommending any particular legislation. Rather, lawmakers should collaborate to address key areas: better tools for cracking down on companies with patterns of violations, stronger protections for whistle blowers, stiffer criminal penalties and "quick fix" injunctive relief that would let the Department of Labor act decisively against an operator when it identifies an immediate threat.

Even with stronger laws, Main said, criminal charges would likely continue to be rare.

"Now they are rare, however, because the bar for prosecution is too high," he said.

Part of Thursday's hearing focused on a report by The Charleston Gazette that just two weeks before the Upper Big Branch mine explosion that killed 29 men last April, an MSHA Office of Accountability report warned lawmakers about serious enforcement lapses at the agency.

The March 25, 2010, report to the Senate Appropriations Committee said that in the two preceding years, inspectors in 20 of 25 audited field offices failed to properly evaluate the gravity and negligence of the operator's violations, and that supervisors in 21 of those

offices failed to ensure inspectors took proper enforcement actions.

The report said internal audits also revealed that officials failed to document inspections well enough to withstand court challenges, and that a handful of inspectors failed to do mandatory spot inspections for mines generating high volumes of methane gas.

That report, however, also said MSHA's audit focused only on field offices where it believed it had problems and was not indicative of a systemic problem at all 92 field offices.

Still, Rep. John Kline, R-Minn., called the report "pretty damning."

"It seems the failure is not in having the right tools in the toolbox," Kline said, but in MSHA employees failing to use those tools.

Main said that when he took over a year ago, he realized change was need and began new training for all field supervisors last June.

"I think these problems existed," he said, "... and we have put in place measures to train these problems out."

He also said he's reviewing the whole inspection process to determine whether employees are following policies, whether those policies are clear, and whether systemic problems are addressed in the new training programs.

Main noted that miners at Massey Energy Co.'s Upper Big Branch operation in southern West Virginia were afraid to speak up about dangerous work conditions. Congress and MSHA must work together to give other miners confidence to speak, he said.

"They are fearful of losing their jobs," he said.

Main said his agency has made many changes to become more aggressive but said to be truly effective, MSHA needs more tools only Congress can provide.

Stronger laws, he argued, would level the playing field so operators who provide safe mine

conditions don't have to compete against operators who cut corners on safety.

Rep. George Miller, D-Calif., urged his colleagues to stop empowering "rogue operators" who manipulate the system. He complained that Congress seems to act only when miners die.

By appealing violations to the courts and preventing them from being recognized as part of a potential pattern of violations, Miller said, a few bad operators have created a backlog of tens of thousands of unresolved cases.

"I think we should change the statute so you don't have to work in a bad system," Miller told Main. "...This should not be a hard decision for the Congress."

Rep. Woolsey, D-Calif., said lawmakers ignore Main's pleas "at the peril of America's miners."

But the National Mining Association disagreed, saying MSHA already has the authority "to shut down egregiously bad operators and should use that authority when justified."

"We agree the backlog of contested fines is too large and the process for reducing it should be more efficient," said spokesman Luke Popovich. "And we're pleased that they are addressing the inconsistencies in citations that lead to confusion and frustration, not safer mines.

"But MSHA has the remedies in hand," he said. "None of this requires new legislative authority, only the will to use the authority they have."

Saturday 5 March 2011

## **USA: MSHA blocking release of key mine disaster records**

*Extract from Charleston Gazette*

CHARLESTON, W.Va. -- Federal mine safety officials are refusing to make public documents that may turn out to contain crucial information regarding potential ventilation problems in the weeks prior to the explosion that killed 29 miners at Massey Energy's Upper Big Branch Mine.

U.S. Mine Safety and Health Administration officials have not responded to public records requests for the documents and have so far refused to provide them to an independent team investigating the mine disaster at the request of former Gov. Joe Manchin.

The documents in question detail five proposed ventilation changes that Massey sought from MSHA in March 2010, but that were still awaiting federal agency action when the explosion occurred on April 5.

The records also outline more than a dozen ventilation changes that Massey proposed and MSHA denied between September 2009 and April 2010, according to a document index made public last week.

MSHA officials have not technically denied a Gazette Freedom of Information Act request for the ventilation documents, but have also not explained their reasons for not having made them public nearly a year after the disaster.

Members of the independent state team, headed by longtime mine safety advocate Davitt McAteer, have been stonewalled for months as they've tried to get the records and wrap up their investigation report before the one-year anniversary of the blast.

"We don't have those records," McAteer said Thursday. "We have asked for copies of those documents. We think they address a number of questions that have been raised about the ventilation plans and MSHA's role in approving or denying the ventilation plans."

Under state and federal laws, mine operators are required to ensure that enough fresh air flows into underground mines to protect miners from dangerous fumes and dust and to prevent a buildup of methane gas or dust that can cause explosions and fires.

Mine operators submit detailed ventilation plans to MSHA, and those plans must receive agency approval before they can be put into action and before mines are allowed to legally operate.

Massey officials have repeatedly complained that MSHA officials dictated that they make ventilation changes the company's engineers didn't believe were safe. MSHA has responded that it's up to a mine operator to propose a workable and safe ventilation plan.

Federal and state investigators believe that the Upper Big Branch disaster involved a methane explosion that was made far worse by a buildup of highly explosive coal dust underground. Still not explained, though, is what if any role problems with the mine's ventilation system played in the explosion.

MSHA inspectors had cited the company with a variety of serious ventilation violations in the months before the blast. Massey also was in the process of switching away from the use of a conveyor belt tunnel to bring fresh air into the mine because the company had decided it didn't want to submit a detailed plan justifying the practice or add new safety equipment required by a new MSHA rule on so-called "belt air" ventilation.

In the months after the explosion, MSHA posted dozens of documents about Upper Big Branch on its Web site, including inspection reports and other enforcement records. MSHA also posted the mine's basic ventilation plan and a variety of changes that MSHA had approved. But the agency has not posted any of the proposed changes that MSHA denied or any of the proposals that had not been acted on at the time of the explosion.

During a conference call with reporters Thursday, Main initially blamed the ongoing criminal investigation of the mine disaster on his agency's failure to produce the ventilation documents.

"There is a normal course of collecting and controlling information and the agency has to have some ability to conduct its business in a way that serves what the Mine Act calls for," Main said.

Asked if prosecutors had specifically asked MSHA not to release the ventilation records, Main said he wasn't sure what ventilation records had not been made public.

"You may know more about it than I do," Main said. "I know there have been some requests and we're proceeding with processing those. I don't know exactly what files you're talking about. I'll have our folks take a look at it."

## USA: Rescuers end effort to save man in Nev. mine

*Extract from CBS News, USA*

RENO, Nev. - A priest has given last rites to a man who fell into a Nevada mine shaft so deep and treacherous that rescuers have abandoned efforts to reach him, officials say.

The man was still alive but they said any rescue attempt would pose too great a risk to people trying to descend into the pit.

A video camera determined the man was still breathing after plunging 190 feet into the shaft on Wednesday in Jersey Valley, northeast of Reno.

"The mine is so unstable that walls were crumbling and rocks were hitting rescuers on the head when they tried to reach him," JoLynn Worley, a spokeswoman for the U.S. Bureau of Land Management, told The Associated Press. "They're people who will make every effort to save someone, but they really can't get to him. It would endanger the lives of rescuers."

The name of the 28-year-old man from Battle Mountain wasn't immediately released.

The video camera showed the man was breathing but not moving and had suffered serious head injuries. Images taken Thursday night revealed he had been moving his hands.

Authorities intended to keep monitoring the mine shaft until the man stopped breathing, Worley said.

"I know some of his family members were out there," she said.

The man was working in the area with a geothermal drilling crew and visited the shaft with two friends during off-hours.

The shaft is among 10 such openings in the Murphy Mine Complex in Pershing County that originally was mined around 1895 and was last worked in 1945, Worley said.

From 265,000 to 310,000 abandoned mine shafts and openings are scattered across Nevada, she said, and federal and state agencies have an ongoing advertising campaign urging the public to stay away because of the danger.

About 50,000 abandoned mine shafts have been identified as the most hazardous, but the shaft where the man fell wasn't among them, Worley said.

Authorities have been closing shafts that pose the most danger near urban and recreation areas.

"People's curiosity sometimes gets the best of them," she said. "These were way out in the middle of nowhere where few people would venture."

## Mining dictionary

### A guide to coal mining terminology

#### A

**Anemometer** Instrument for measuring air velocity.

A hemispherical cup anemometer of the type invented in 1846 by John Thomas Romney Robinson



-Ed