



# Mining Accident News No.1204

11 to 23 February 2012

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Saturday 11 February 2012

## Canada: Scene of Coleman Mine accident released to Vale

*Extract from NorthernLife.ca*

The Ministry of Labour has released the scene of a fatal mining accident at Vale's Coleman Mine to the company.

Ministry spokesperson William Lin said the accident scene was released to Vale Feb. 7 so the company can perform a "cavity monitoring survey," among other studies required by the ministry.

Stephen Perry, 47, was killed Jan. 29 after rock fell from the face of a drift where he was loading explosives at the 4,215 level of Coleman Mine.

Lin said the ministry asked that the surveys be completed as part of a Jan. 31 order, which involves the company handing over certain documents to the ministry.

The company is also under a number of other ministry orders related to the accident.

These include orders to examine the scene of the accident for hazards and that a certain piece of equipment, an Anfo loader, be inspected before being used again.

Perry was using an Anfo loader when he was killed.

Lin said he didn't know if the Anfo loader being inspected was the one used by Perry.

Greater Sudbury Police are also conducting an investigation alongside the Ministry of Labour.

Staff Sgt. Al Asunmaa said the police are on scene to determine whether criminal charges should be laid in relation to the accident.

Officers have just about concluded their investigation, and at this point, it doesn't look there will be any criminal charges, he said.

Vale and Steelworkers Local 6500 also recently launched a joint investigation into Perry's death, according to Vale spokesperson Angie Robson.

Company and union investigators have already visited the scene of the accident, she said.

## **US attorney wants more jail time in case of ex-Massey UBB employee**

[www.platts.com](http://www.platts.com)

The security chief at the time of the April 2010 fatal explosion at a Massey Energy coal mine should be sentenced to more than the maximum of 41 months' imprisonment, the federal prosecutor in the case has argued.

A jury convicted Hughie Elbert Stover in October, finding him guilty on two counts of making false statements to federal agents and obstructing a federal investigation centering around the explosion at Massey's Upper Big Branch mine in Raleigh County, West Virginia. Stover worked for Massey Energy subsidiary Performance Coal.

Sentencing is scheduled for February 29 in Beckley, West Virginia.

"This is an extraordinary case, and the United States intends to seek a sentence substantially above the advisory Sentencing Guidelines range of 33 to 41 months' imprisonment," according to a Wednesday filing by US Attorney R. Booth Goodwin II in US District Court for the Southern District of West Virginia at Beckley.

Goodwin and US District Judge Irene C. Berger are currently hashing out a procedural matter on whether the prosecutor should be allowed to file "more than five pages to explain the reasons it intends to seek a sentence substantially above the advisory Sentencing Guidelines range," according to a Thursday order from the judge. She ruled in the one-page response that the prosecution "has failed to establish good cause to support its motion."

Goodwin spokesman Melvin Smith said Thursday that this doesn't mean the US attorney can't pursue the stiffer sentence. He wasn't aware of a response from Stover's attorney, William David Wilmoth. The Wheeling, West Virginia, attorney didn't respond to a request for comment Thursday.

The US attorney's office has not indicated the length of sentencing for Stover that it would like, but Stover could face anywhere from two to 25 years in prison. He remains free pending the February 29 sentencing date.

In Booth's Wednesday filing, he said, "Defendant's relevant, uncharged conduct includes his role in a conspiracy to provide routine advance warning of Mine Safety and Health Administration inspections at the Upper Big Branch mine. MSHA has found that the practice of providing such warnings was a contributing cause of the 2010 explosion at UBB that killed 29 coal miners."

Goodwin went on to say, "The investigations that defendant obstructed through his offense conduct were exceptionally important to the families of the miners killed at UBB, to the future safety of all miners, and to the nation as a whole. The advisory Guidelines for obstruction of justice and making false statements do not fully account for the significance of the investigations that defendant affected."

Alpha Natural Resources acquired Massey in June. Upper Big Branch has remained shut since the underground explosion, the nation's deadliest coal mining accident in 40 years.

## **Pike River Inquiry Phase 3: Pike kept pushing on with production**

*New Zealand Listener*

Any remaining doubt that the Pike River mine was an accident waiting to happen ought to have been erased with this week's evidence from Australian investigator David Reece, who described serious flaws in virtually every aspect

of the mine's design. Reece, who led the Department of Labour's team of experts investigating the fatal 2010 explosion, cited a raft of warning signs that ought to have alerted the company – and the department itself – of grave risks to those who worked underground.



Fire coming from the vent shaft of the Pike River mine

In the days before the November 19 explosion, mine deputies had reported methane readings of 3-5% on several occasions. On the day of the blast, of 3.5% was recorded in one area. Methane is explosive between 5 – 15%, and above 2% workers are required under the mining regulations to be withdrawn. It's likely the high readings under-estimated the true levels because Pike's sensors weren't capable of measuring concentrations over 5%. Despite the evidence the mine was struggling to control methane levels, Pike kept pushing on with production, including the ramp up of its hydro-mining operation.

Reece's team established that Pike's much-vaunted "real time" gas monitoring system included a sensor that hadn't been working for nearly two months before the explosion, another that wasn't properly calibrated, and others that produced variable and inaccurate information. Moreover, Pike had not installed a tube bundle monitoring system – standard kit in other underground coal mines – which would have provided much more detailed information about gas levels, including methane concentrations up to 100%.

The ventilation system was inadequate to deal with Pike's gassy coal, and the positioning of the

most critical piece of equipment – the main ventilation fan – was flawed. The fan – commissioned only days before the explosion – was installed underground, which meant that if the mine lost power (as often happened), it would also lose ventilation. Also, because the motor was electrical, it would shut down automatically if gas levels spiked. The back-up fan, at the top of the ventilation shaft, had also been breaking down. Pike's own consultant had recommended three weeks before the explosion that extra ventilation capacity was urgently needed, but the company kept mining.

Reece said Pike's efforts to drain methane away from the coal face were inadequate, and its own consultant had strongly recommended that the capacity of the system be increased before mining continued. That didn't happen. "Stoppings", which help direct air flow around the mine, were flimsy and poorly constructed. Stone dusting – used to control the risk of fire fuelled by coal dust – was judged to be inadequate by Pike's consultants just days before the explosion. Pike's geotechnical advisors had also urged the company to hold off on plans to increase by 50% the width of the area being hydro-mined until the implications for the mine's roof stability were properly assessed. Pike went ahead and increased it anyway.

Reece's team of experts say it may never be known for certain what caused the explosion of November 19, 2010, but they have come up with a series of possible scenarios. Their preferred explanation is that there was a roof collapse in the area that had been mined out by the hydro-monitor – known as the goaf – which sent a slug of accumulated methane down the mine, where it mixed with air to form an explosive concentration. It was then likely ignited by arcing electrical equipment. But Reece agreed that this chain of events – and the other possible scenarios – was "foreseeable and controllable" using existing underground coal-mining techniques.

## USA: Drug link to coal mine deaths is not clear

*Extract from Saturday Gazette-Mail, USA*

CHARLESTON, W.Va. -- As he defends his proposal to require drug-testing for all West Virginia coal miners, Gov. Earl Ray Tomblin is pointing to two state mining deaths he blames on alcohol or drug abuse.

However, a review of official government reports on those two incidents show the causes were more complicated than the governor's statement suggests.

In one, the state Office of Miners Health, Safety and Training didn't mention drug or alcohol use in its formal investigative report, but later tried to strip the license of a miner who was involved after he failed a drug test.

In the other, agency investigators blamed mine managers who they said had allowed the miner who was killed to work his shift after he'd been drinking.

The findings raise more questions about Tomblin's proposal, which already is under fire from the United Mine Workers union and an independent state investigator. Those critics argue that including the controversial drug-testing language in a bill meant to provide legislative follow-up to the Upper Big Branch Mine disaster diverts attention from more important safety reforms.

"There were no alcohol or drugs involved in Upper Big Branch," said Dennis O'Dell, administrator for health and safety at the UMW. "I don't think mine inspectors need to be drug and alcohol police to take them away from what their duties really are."

O'Dell was among those who testified last week during a two-day legislative hearing on Tomblin's legislation and a rival mine-safety bill co-sponsored by House Speaker Rick Thompson, a Wayne County Democrat whose father died in a mining accident.

During Wednesday's testimony, longtime mine safety advocate Davitt McAteer encouraged lawmakers to separate the drug-testing proposal from the rest of the governor's bill, and deal first with what he said were more urgent safety problems.

The next day, Tomblin appeared on statewide radio to defend his bill.

"We believe that the vast majority of our miners are drug and alcohol free," the governor said on the MetroNews "Talkline" show. "What we're wanting to do is make sure we do everything we can do to keep our miners safe."

The governor added, "There were at least two fatalities that I've been informed about that happened because of impaired workers out there."

Administration officials later confirmed that the governor was referring to the 2008 death of a miner at Consol Energy's McElroy Mine in Marshall County and the 2009 death of a contract reclamation worker at Patriot Coal's Samples Mine in Kanawha County.

In the McElroy incident, 58-year-old Victor Goudy was killed when he was pinned between two underground mining vehicles on Oct. 19, 2008.

William Coulson, a general inside laborer at the mine, was driving an underground locomotive that ran into another series of mine cars, which then crushed Goudy up against another locomotive. At the time, Goudy was kneeling down next to the mine cars.

State investigators blamed the incident on the lack of a "conspicuous light or approved reflector" on the back of the mine cars that Coulson ran into. Their eight-page report, released in February 2009, didn't mention alcohol or drugs. Consol had tested Coulson and found his blood contained hydrocodone, for which he had a prescription, and oxycodone, for which he did not, according to court records.

Before releasing their fatal-accident report, state investigators filed a separate action seeking to strip Coulson of his mining license. They argued, among other things, that Coulson violated existing state law prohibiting carrying "any intoxicants" into coal mines or working in the mines "while under the influence of intoxicants."

A report by the U.S. Mine Safety and Health Administration did not mention drugs or alcohol or include their use as a "root cause" of the accident.

In the other incident Tomblin refers to, 28-year-old Mark Allen Gray was killed on July 28, 2009, when he ran his rock truck off a haul road and into a sediment pond while performing reclamation work for Hawkeye Contracting Co. LLC for Patriot Coal at the Samples Mine.

The state medical examiner found evidence of marijuana in Gray's blood and that his blood-alcohol level was 0.08 percent. Investigators said they found an empty beer can in Gray's truck, and a bag containing remnants of marijuana on his person.

In their report, state investigators said they found that a company foreman had smelled alcohol on Gray on two occasions prior to the fatal incident. Also, a security guard saw Gray putting unopened cans of beer into his lunchbox at the start of a recent shift, the state report said.

State officials cited the company for violating a rule that required mine management to remove Gray from the work site "after having reasonable cause to believe that he could be under the influence" of alcohol.

Member of Gray's family repeatedly have questioned the accuracy of the state report. An MSHA investigation reported that the haul road where the accident occurred was muddy and rutted from recent rains at the time of the incident, but that the conditions could have been "a normal part of the road development and construction process."

During last week's hearings, McAteer told lawmakers that his investigative team was not

aware of any comprehensive reports that attempt to examine the relationship between drug or alcohol abuse and fatal coal-mining accidents.

McAteer said that "no one in their right mind wants an impaired miner working next to them or working down the road or anywhere" in the coal industry.

Also, McAteer noted that the National Mining Association opposed a Bush administration drug-testing proposal for the coal industry, at least in part because it would have required operators to give first-time offenders a chance to seek treatment before they could be fired.

Coal industry officials have praised the lack of such a requirement in Tomblin's bill. Chris Hamilton, a lobbyist for the West Virginia Coal Association, said he couldn't provide specific numbers, but that drug and alcohol use are definitely a problem in the industry.

"There's clear evidence that there are drugs and alcohol involved in accidents within our industry," Hamilton said. "How widespread, what percentage, we don't have hard, fast statistics on that. But it is a problem, and we have a zero tolerance."

McAteer said any industrywide policy should include treatment options, providing a balance between safety on the job and helping employees who develop a problem -- especially if they got hooked on drugs while being treated for a workplace injury.

"All of us are vulnerable to temptation and to additions, and that goes for everyone," McAteer said. "How do we fix the problem? That's what we need to address."

Phil Smith, a spokesman for the UMW, said some union agreements on drug testing allow workers to be fired after their first positive result, but that the UMW tries to negotiate language that allows workers to seek treatment and not lose their job if they admit they have a problem.

"We believe that people should have the opportunity to get treatment," Smith said. "No question about it."

Delegate Mike Caputo, D-Marion and a UMW representative, said labor and industry have been involved in intense discussions since the legislative hearings to try to find a compromise.

"I'm certainly supportive of setting some minimum standards, and getting some data to see what kind of a problem we have out there," Caputo said. "We need to deal with facts and with real data."

Late Friday afternoon, the Governor's Office issued a statement in the name of mine safety Director C.A. Phillips.

"We are fooling ourselves if we think substance abuse does not occur in West Virginia's mines," the statement said. "Substance abuse does not stop at our borders and it is not just a problem in our neighboring states. As a former coal miner, I would not want to work beside someone who is impaired on drugs or alcohol."

Monday 13 February 2012

## Hunter drilling firm reviewing Pike River charges

*Extract from ABC News Online, Aus*

Hunter Valley drilling contracting company charged over New Zealand's Pike River mine disaster has begun sifting through a large volume of documents in relation to the case against it.

The Pike River coal mine explosions killed 29 men in November 2010.

The New Zealand Labour Department has since laid 25 charges against three parties including the Pike River Coal Company, its chief executive and Hunter Valley drilling contractor VLI Drilling.

VLI Drilling has been charged with three offences relating to the maintenance and operation of its drill rig used in the New Zealand mine.

The company has told the ABC it has just received the Department's finalised summary of the facts and it is now reviewing the documentation.

The matter returns to court in New Zealand next month and VLI Drilling says further documentation is still to be provided.

A spokesman says VLI Drilling has again extended its sympathies to the families impacted by the tragedy.

Known locally as Valley Longwall, the company has operated in the Hunter Valley for several decades.

## Qld: Mine worker out of hospital

*Extract from The North West Star, Mount Isa, Qld, Aus*

A CONTRACT employee working at Ernest Henry Mining operation near Cloncurry has been discharged from hospital from injuries he received during an accident at the mine.



**TRANSPORTED:** Medics with the injured man and the rescue helicopter

The man, who has not been named, fell about 2m from a stationary vehicle around 3.00pm on Wednesday.

A spokesperson for Ernest Henry Mining said: "We immediately activated our emergency response procedures and the contract employee's condition was assessed at our on-site medical facility before being transported by the North Queensland Rescue Helicopter to the Mount Isa Base Hospital for further treatment."

The man was discharged from hospital on Thursday.

The spokesperson said: "We have notified the relevant regulatory authorities and are currently investigating the incident."

Tuesday 14 February 2012

## NZ: Pike River boss's email anger at Peter Whittall

*Extract from nzherald.co.nz*

The man in charge of the Pike River mine was ready to leave his job because of anger at his bosses, just five days before an explosion killed 29 miners.

Former Pike River mine manager Doug White sent an email headed "they will not be making me a scapegoat" to a recruitment officer on November 14.

He told a Royal Commission of Inquiry into the Pike River mine disaster the email was sent out of frustration at Pike River chief executive Peter Whittall.

Mr White said Mr Whittall had accused him of causing a seven cent drop in Pike River Coal's share price when he told a group of share brokers about difficulties extracting coal at the mine.

His email called that accusation a "croc of s\*\*t".

It said he had made a mistake turning down a job in an Australia mine before asking the recruitment agent to look for other opportunities that would take him away from Pike River.

Mr Whittall had showed his "true colours" when he made the accusation, Mr White told the inquiry.

He had checked the Pike River's share price and found it had dropped three cents the day before he took the share brokers around the mine, one cent on the day and three cents the day after.

"I resented the implication of his allegations after the efforts I'd put in."

Mr White said he also was dissatisfied he had never had his performance as mine manager appraised.

## This week in mining accident history

**14 February 1844**

**Garden Pit**

**Landshipping, Pembrokeshire, UK**

**Underground coal mine**

**40 drowned by incoming tide**

On 14 February 1844, 58 men, women and boys were working in Garden Pit at Landshipping on the eastern branch of the Cleddau River when disaster struck.

The pit workings extended out under the river, and when water suddenly burst through the walls of the mine 40 miners were overwhelmed and drowned before they had time to escape.



Garden Pit Memorial (image: Roger MacCallum)

There had been mining in the area since the Middle Ages but, in the main, this was low-key and seasonal, the mines being worked by agricultural labourers in the quieter times of year. Then, in 1800, Sir Hugh Owen installed the first steam engine in the Pembrokeshire coalfield, at his mine in Landshipping, and the industry transformed itself into an altogether different beast.

Soon, over 10,000 tons of coal and culm were being produced each year. By 1844 Colonel Sir John Owen had succeeded to the estate and quickly developed the infrastructure needed for such an enterprise. In particular he built a quay at Landshipping from which most of the coal was shipped to a wide variety of destinations.

Garden Pit, like several of the mines around the Cleddau, suffered badly from waterlogging, but even so the shaft was still some 67 yards deep and most of the workings ran out for as much as a quarter of a mile beneath the river.

The level where the disaster occurred had not been worked for two or three years as miners had reported a significant leak in the roof of the tunnel. However, in February 1844 it was considered safe to again open the workings and, on the afternoon of 14 February, 58 miners were employed in digging for coal and transporting the product back to the pit shaft.

The first inkling that something was wrong came when, just before 4pm, a powerful current of air suddenly shot up the shaft. It was powerful enough to force the hands and arms of men working on the surface high into the air.

Then spectators noticed a series of violent eddies, almost like whirlpools, in the water close to shore. The next thing they knew, several miners appeared at the bottom of the shaft, screaming for assistance.

Four men and 14 boys were quickly hoisted up the shaft in the buckets that normally carried the coal, swirling water pulling at their boot tops as, behind them, the pit filled up at a rate of seven fathoms a minute. Nobody else managed to get out, 40 miners being drowned or crushed in the fall of rock and mud that accompanied the flooding.

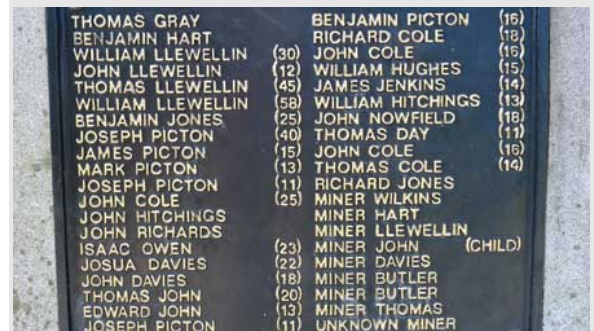
One miner later gave an account of his escape and this was paraphrased in the local press:

*"He was overtaken by the water, which almost prevented his progress, dashing him several times against the side of the pit; when he got into the light he rushed past another man who was about to get into the bucket, and was hauled to safety, the water following him so closely that the next and last man was only saved by climbing up the side of the pit, until the bucket which descended to the other was raised, reached him."*

The water had broken into Garden Pit relatively close to the shore, cutting off 33 miners working at the far end of the pit. The horror of such a death can only be imagined.

The other seven casualties, men and children working nearer the shore, had been overtaken by the deluge before they could get out.

The cause of the disaster was put down to the pressure of the water - that particular heading had not, previously, been worked at high water. But in those days there were no mining inspectors to check on aspects of safety; some reports say the miners had already left the pit once that day because they were concerned about safety, only to be sent back to finish their shifts.



The names, where known, of those who perished in the disaster are listed on the memorial (image: Roger MacCallum)

The real tragedy of the disaster, of course, was the human one. Many of the dead miners were related to each other and one of the most heart rending facts about reading the memorial plaque, erected by local people in 2002, is how often the same names occur - Llewellyn, Picton, Davies, Cole, Hart and John. One man, Joseph Picton, died along with three of his sons, leaving behind a widow and five more children.

Several of the names on the memorial plaque say simply "Miner" - these were probably women, employed and killed in the disaster even though legislation preventing their employment below ground had recently been passed in parliament. Other names on the plaque give ages as low as nine or 11. In one case a person is listed simply as "child".



The disaster at Garden Pit, Landshipping, has been largely forgotten by history. But it remains just one more terrible tragedy in an industry that has taken such an horrendous toll of life, right across Wales.

## USA: MSHA budget reduction to increase time for plan approval

*Extract from The State Journal, W.Va, USA*

Though increased enforcement of mine safety violations remains a priority, a slight decrease in budget is expected to slow approval of coal mine ventilation and roof plans.

"We are at a make or break moment for the middle class, and the Labor Department's fiscal year 2013 budget request reflects our commitment to supporting an American economy that's built to last," said Secretary of Labor Hilda L. Solis. "Our budget request focuses on programs that will help keep America's workforce strong and innovative, while providing needed worker protections. It also makes responsible and reasonable cuts that are rooted in current economic realities and a continued focus on increased efficiency and effectiveness."

The Department of Labor's Mine Safety and Health Administration requested \$372 million for fiscal year 2013.

A cut of slightly more than \$1 million toward plan approvals will slow MSHA response to mine approval by eliminating the equivalent of 17 clerical positions.

"Plans address complex issues, such as unique geological conditions and ventilation issues, and assess the effectiveness of operator dust control and sampling programs," the budget states. "The time to complete plan approvals will increase."

Enforcement and inspection activity is still expected to be conducted "in a timely manner."

"In the wake of the Upper Big Branch (UBB) accident and investigation MSHA shifted

priorities towards strengthening its enforcement programs. The FY 2013 request prioritizes activities MSHA performs and applies limited budgetary resources to those areas where they will have the greatest impact," the budget states. "Every budget activity supports functions that prevent death, disease, and injuries from mining, but MSHA considers effective enforcement a top priority and proactive strategy to ensure workplaces in the mining industry are safe and healthy."

While the organization explains that mine plan approvals will take longer, the approvals will still be done in a timely manner.

"Despite the proposed decrease in funding for plan approvals, CSMH will meet its plan review performance goals," the budget states. "MSHA can quickly take measures to ensure proper ventilation and roof control standards are being applied in a mine. This helps to ensure a safer mining environment."

The budget includes \$16.9 million for reducing the backlog of contested violations at the Federal Mine Safety and Health Review Commission. The Coal Mine Safety and Health program budget is increased by about \$2.9 million to "fully fund enforcement personnel and provide for additional equipment needs."

The Coal Mine Safety and Health program represents about 45 percent of MSHA's budget.

"(Coal Mine Safety and Health) will enhance enforcement for violations of the standards associated with fatalities and serious accidents and continue to write citations which are consistent with the seriousness of the violation," the budget states. "CSMH will place increased emphasis on mine operators' responsibility for conducting required health surveys to measure airborne contaminants."

Continuation of programs that target specific mines with known histories of unsafe conditions and impact inspections are also included in the 2013 budget. The time it takes is for a violation to reach "final order status" is anticipated to be

reduced, freeing up a significant backlog of contested cases.

"(Coal Mine Safety and Health) estimates it will conduct approximately 5,300 mandatory inspections in FY 2013, but this number may vary depending on the number of operating mines," the budget states. "It will inspect all active underground mines four times per year and all surface mines twice per year."

The budget will also increase funding to fill staff vacancies to address issues such as impact inspections, dust emphasis inspections and accident prevention inspections. The increase is also expected to allow for more timely review of roof control and ventilation plans.

Inadequate ventilation is one of the issues investigators believe contributed to the 2010 accident at Upper Big Branch that killed 29 coal miners. Respirable coal dust is also linked to pneumoconiosis, or black lung disease.

The budget includes a number of efforts to reducing the instance of black lung disease, including continuous dust monitoring technology.

Another \$2.2 million is requested by the agency to replace aging equipment. According to the proposed budget, MSHA's coal division was able to replace only a quarter of the equipment that had exceeded manufacturer's service life.

The Department of Labor's overall discretionary budget requests totals \$12 billion. The proposed budget includes \$125 million for a Workforce Innovation Fund with \$100 million from the Department of Labor and a \$25 million contribution from the U.S. Department of Education to reform the work force system.

## 6 Killed in Coal Mine Gas Explosion in Xinjiang

*Extract from Xinhua*

Six miners were killed in a colliery gas explosion Tuesday in northwest China's Xinjiang Uygur Autonomous Region, local authorities said.

Six miners were underground when the explosion went off at Xingda coal mine in Manas county at around 3:30 p.m. Tuesday, according to the region's Coal Mine Safety Administration.

Investigation into the cause of the incident is under way.

Wednesday 15 February 2012

## NZ: Pike River - Whittall was a 'dodgy git' - former manager

*Extract from nzherald.co.nz*

Former Pike River Coal chief executive Peter Whittall was a "dodgy git" and a "megalomaniac" who blamed others for his mistakes, the Royal Commission of Inquiry was told today.

Sometimes tearful, general manager mines Doug White painted a picture of terse management relationships in the lead-up to the November 2010 mining disaster that claimed 29 lives.



Former Pike River Coal general manager Doug White

He said Mr Whittall, now his former boss, was "still a dodgy git" in a personal email three days before the underground explosion.

In an interview afterwards with police, Mr White also called him "overbearing, quite dictatorial, megalomaniac".

"I can't recall anyone actually standing up to him. He would normally get what he wanted," Mr White said.

He also said his former boss "blames everyone else (he tells lies too)" for stuff-ups, including purchasing what was arguably the wrong mining machinery.

He confirmed that Mr Whittall gave safety manager Neville Rockhouse an "unnecessary" public dressing down.

"There were certainly jibes on a number of occasions," and an "air" at management meetings whenever Mr Whittall was present.

Numerous witnesses have said they thought things had improved throughout the mine under Mr White's management.

However, by September 2010 - two months before the mine exploded - Mr White himself was on the verge of leaving.

Many systems had already been set up when he arrived at Pike River 10 months before the disaster, and he had wrongly assumed they were all working.

Until late October, despite his position, only four staff reported directly to him, the rest to Mr Whittall.

Mr Whittall "micro-managed" everything, even questioning why a jersey and socks were being purchased.

Over time, Mr White began to feel "unnecessary", but he told himself to "harden up", spoke to his family about it and made the decision to stay.

"I'm not saying I regret that, I believe I made it for all the right reasons."

He changed his mind in November after being told off for giving visiting stockbrokers information that resulted in a share price fall for the company.

Asked today about the demands on his time in the months leading up to the disaster, he replied: "Where would you like me to start?"

"Believe you me, I was kept busy. I was underground up to three times a week, constantly engaging with employees, extolling safe work."

Mr White has many years' experience running mines, and was a former senior mines inspector in Queensland.

"You knew full well what was expected in a well-run, well-managed, safe mine," Engineering, Printing and Manufacturing Union lawyer Nigel Hampton QC said.

Mr White said when he turned up at Pike River in January 2010 the mine "needed a cuddle".

"Initially I had concerns over ventilation, and the state of ventilation devices and the state of stone dusting."

He said he acted to improve those areas. The West Coast "No.8 wire, she'll be right" attitude alarmed him.

Mr White accepted that serious incidents had not been drawn to his attention.

"Everyone knew what the system was supposed to be," he said, but it was not followed on a number of occasions.

Mr White was not among those charged by the Department of Labour, and his lawyer said today that he did not think the police had any evidence to charge him either.

However, for the second day before the Royal Commission, he repeatedly stopped Mr White from answering questions to avoid self-incrimination.

The hearing continues.

### Quote of the week



"Keep a diary, and someday it'll keep you."

Mae West  
American actor, 1892-1980

Thursday 16 February 2012

## **Pike River: Whittall 'devastated by 'dodgy git' label**

*Extract from nzherald.co.nz*

Former Pike River chief executive Peter Whittall is devastated at being called a "megalomaniac", "liar" and "dodgy git" by his former mine manager, his lawyer says.

Doug White, who oversaw the Pike River mine when it was hit by a deadly explosion, was emotional as he spoke yesterday about his dysfunctional relationship with Mr Whittall in a Royal Commission of Inquiry.

He said Mr Whittall was "still a dodgy git" and accused him of doing "a number" on former chief executive Gordon Ward in a personal email three days before the underground explosion.

In an interview afterwards with police, Mr White also called him "overbearing, quite dictatorial, megalomaniac".

Counsel for Mr Whittall Stacey Shortall today told the commission her client was "absolutely devastated" at Mr White's allegations.

She revealed another statement from Mr White's police interview, where he said Mr Whittall was the "nicest bloke you'll meet in the world" when you spoke to him one-to-one.

Mr Whittall "vehemently denies" trying to force Mr Ward out of his position as chief executive, she said.

That was backed by a statement from her other client, Pike River chairman John Dow, who said Mr Whittall had nothing to do with Mr Ward's departure from the company.

Mr White refused to back down from his statements under questioning.

He said Mr Whittall had lied by accusing him of causing a seven per cent drop in Pike River Coal's share price.

It was unusual that Mr Dow had strongly criticised Mr Ward in the days before his departure, Mr White said.

"I just found it a bit unusual a few days prior to Mr Ward's departure, Mr Dow was in my office telling me what a bad person Mr Ward was.

"To me it looked like someone had done a number on someone."

Ms Shortall is seeking permission to table other parts of Mr White's personal email, where he was critical of other people involved with Pike River.

She said tabling the email would give context to Mr White's accusations.

That was opposed by other counsel present. The commission is considering the application.

## **China: 15 die in Hunan mine derauling**

*Extract from the Hong Kong Standard*

Fifteen miners died and three were injured after a mine railway car derailed in a pit in central Hunan province, authorities said yesterday, in the latest accident to hit the nation's mining sector.

The accident happened at a pit near Leiyang early Tuesday, according to China's work safety administration.

Local officials said rescue efforts were still under way.

Accidents are common in China's vast coal mining sector where safety is often neglected by bosses seeking a quick profit. Latest figures show 2,433 people died in mining accidents in 2010 - a rate of more than six workers per day.

Labor groups said the actual toll is much higher, partly due to under-reporting of accidents by bosses seeking to limit losses and avoid punishment.

Rapid economic growth in the mainland has caused demand for energy, including coal, to

surge. China relies on coal for 70 percent of its growing energy needs.

During the winter months, mines operate at full capacity to meet demand for electricity

## **S. Africa: AngloGold reports mine death**

*Extract from [www.thepost.co.za](http://www.thepost.co.za)*

Gold miner AngloGold Ashanti has announced the death of an employee in a fall of ground accident at Mponeng mine near Carletonville.

The fall of ground, triggered by a seismic event, occurred at 15:50 on Tuesday.

Stoping operations at the mine have been suspended, and an underground in loco inspection by the Department of Mineral Resources' inspectorate is scheduled to take place this morning.

Attempts are being made to notify the deceased's next of kin, the miner said.

Friday 17 February 2012

## **USA: Mine Safety Bill Moves At Statehouse**

*Extract from WCHS Radio 58, USA*

The House Judiciary Committee Thursday passed legislation aimed at improving mine safety following the Upper Big Branch mine disaster in 2010 that killed 29 miners.

"I think it puts the operators on notice that we've got to do things better here," said Marion County Delegate Mike Caputo, who is also an officer with the United Mine Workers Union.

The bill, which now goes to the House floor, is a compromise following tough closed-door negotiations among representatives of the coal industry, the union, Gov. Earl Ray Tomblin and legislative leaders.

Several parts of the bill relate directly to the causes of the UBB disaster.

For example, the bill makes it a crime for anyone to warn a coal operator that a mine inspector is on site. Former UBB security director Hughie Stover was convicted on federal charges in connection with the practice of tipping off Massey officials when mine inspectors arrived.

The bill also requires that mining machines at the face to shut down more quickly when methane gas levels begin to build. Additionally, the mines will have to meet tougher standards for keeping coal dust under control. At UBB, investigators believe the massive explosion started with a methane ignition that was then fuelled by a buildup of flammable coal dust.

The legislation also requires coal companies to drug test certified miners, as well as other workers who are regularly present at the mine site. Most mining companies already drug test, but Gov. Tomblin pushed the proposal requiring all companies to test. The UBB investigations did not show drug use as a contributing cause to the UBB disaster.

Additionally, the bill says that the family of a miner killed in an accident can choose anyone they want to represent them during investigations. The industry wanted a provision that would have prevented a union member from representing the family if the accident happened at a non-union mine, but that was left out of the House bill.

Caputo said there an irony to this mine safety bill.

"What saddens me most is that if you look at the history of major pieces of mine legislation, they always come on the heels of tragedy," Caputo said. "People have to die before we really make major, monumental changes in health and safety laws."

The bill passed Thursday is a House Committee substitute that is similar to the mine safety bill proposed by the governor.

## **NZ: Gold mine closed down**

*Extract from [www.stuff.co.nz](http://www.stuff.co.nz)*

Work has halted at a small historic, underground gold mine in the Coromandel Ranges with the loss of four full time jobs.

The Broken Hills mine, where traditional and historic techniques were used, has been visited by thousands of members of the public since reopening about a dozen years ago.

Today the Department of Labour said it had closed the mine near Thames for failing to comply with mining regulations.

But Stuart Rabone, from Broken Hills Gold Company, said the company itself had suspended normal mining operations from the beginning of December, although the workers were with the business until early January.

The restoration and preservation project, involving hand-held underground mining, at the reopened historic operation had become increasingly difficult to sustain financially in recent years.

Difficulties with inconsistent advice from Department of Labour inspectors were a factor in suspending operations, although more significant were financial difficulties and health and wellbeing issues affecting himself and his family.

While it had still been possible to mine gold at Broken Hills, the mine was not capable of producing enough to keep on funding itself at the level it had been able to previously. At its peak since reopening, the mine had provided work for seven people.

As well as paying wages, the money earned by the operation went into the restoration and rehabilitation work, and enabled free tours to be provided for thousands of members of the public, Rabone said.

A key issue in dealings with the Labour Department related to a second egress.

He would need to spend a six figure sum to comply with Labour Department requirements, which were "completely inappropriate".

The tunnels in the mine formed an interlocking network, so there were at least two ways to get out from any place in the mine, Rabone said.

Since the mine reopened there had been no safety incidents affecting members of the public, while the worst accident involving a worker resulted in a bruised finger.

He was considering what to do next. If he decided to restart mining and the Department of Labour issued him with a prohibition notice, or something similar, he would appeal that in court.

He also doubted the action so far by the department prevented him from taking tourists through the operation.

The Labour Department statement today said the mine may open for its operations to be brought into compliance, but opening for any other purpose would result in a prohibition notice being issued, and further action may be taken.

Acting chief inspector mines Gavin Taylor said an improvement notice had previously been issued to the mine outlining the area of non-compliance. As that non-compliance was not remedied the mine had been closed following an inspection last month.

Robone noted the mine was on Department of Conservation land, and his relationship with that department was constructive.

## **NZ: Pike - Methane drainage problems highlighted**

*Extract from [stuff.co.nz](http://www.stuff.co.nz)*

Serious problems with methane gas drainage was highlighted to Pike River managers seven months before the coalmine exploded, the inquiry into the deaths of 29 men has heard.

Former technical services manager Pieter Van Rooyen has continued giving evidence this morning as the final witness for the royal

commission into the fatal November 2010 explosion.

An email to his department by one of the mine's shift coordinators in April 2010 raised various concerns with the "inadequate methane drainage system", stating the pipe draining methane was too small.

An external gas drainage consultant also told the mine in May 2010 it urgently needed to install a larger diameter pipe and bigger methane "riser". Its methane drainage pipe was 100mm in diameter.

Van Rooyen admitted neither was done but other improvements were made to gas drainage as a result of the concerns raised, including temporarily suspending its methane drainage consultants, Valley Longwall.



[GIVING EVIDENCE: Pike River's former technical services manager, Pieter Van Rooyen.](#)

VLI Drilling, a subsidiary of Valley Longwall International, was one of three parties charged over the blast by the Labour Department with alleged health and safety failures.

Engineering, Printing, Manufacturing Union lawyer Nigel Hampton QC asked Van Rooyen how an already overstressed methane drainage system could cope with increased gas from hydro-mining, which began only two months before the blast.

Van Rooyen said the main ventilation fan was commissioned underground in late October, which also improved methane management.

Last week and earlier this week, the inquiry heard from two Australian mining experts employed by the department to investigate the blast's cause, who criticised the mine's ventilation and gas management.

Van Rooyen earlier admitted he never went underground in his final six weeks at Pike River after hydro-mining started in September, despite his key role in its development.

Last week, the inquiry at Greymouth District Court heard the blast was blamed on a roof collapse in the hydro-mining goaf, a void left when coal is extracted, which pushed accumulated methane gas around the mine and was ignited by an electric spark.

During cross-examination by Pike families lawyer Richard Raymond today, Van Rooyen said he had no fears about going underground at Pike River.

However, that had not happened for various reasons once hydro-mining started but other experts were frequently underground, he said.

"I was not afraid to go underground at Pike River Coal, not ever.

"The risk of an explosion is always part of coal mining I was not ever concerned about an explosion at Pike."

Van Rooyen, a qualified geologist from South Africa, started work at Pike in February 2009 and resigned over long working hours 16 days before the mine exploded.

He denied leaving for safety fears.

Earlier, he rejected Japanese hydro-mining expert Masaoki Nishioka's claims Van Rooyen believed it was unsafe to go underground.

Van Rooyen said it could have been a misunderstanding because his wife visited the mine not long before he resigned.

She told Nishioka she was afraid of her husband going underground and feared the mine's safety.

He was also questioned over the mine's lack of a second egress and its proposed development by June to September 2011, admitting coal production had priority over working to build the new second egress.

When Raymond asked if manpower was diverted away from the second egress work for coal production, he agreed.

"I agree that panel development took priority."

The inquiry was told this morning a Pike River Coal senior manager who refused to give evidence could be forced to return from Australia to attend.

Last December, a public furore erupted when it was revealed former chief executive Gordon Ward refused to give written or oral evidence to the inquiry, despite him playing a key role in the project for 14 years.

At the time, the royal commission said it was unable to compel him to return because he lived overseas.

However, Stacey Shortall, lawyer for former chief executive Peter Whittall, told the inquiry she believed Ward could have been forced to return from Australia to give evidence.

Ward became involved with Pike River in 1998, when he became responsible for the project as general manager of its main shareholder, New Zealand Oil and Gas.

He joined Pike River Coal's board in 2006 and was its chief executive from May 2007 until seven weeks before it exploded in November 2010. Whittall, previously the mine manager, replaced him as chief executive on October 2, 2010.

Ward moved to Australia to work as chief operating officer for Queensland Coal Corporation but left that job on the first anniversary of the November 19 2020 fatal blast.

His whereabouts are unknown.

In December, Pike's former chairman, John Dow, told the inquiry Ward was the mine's "main man".

"It was made very clear this was very much Gordon's baby," Dow said.

Spokesman for most Pike families, Bernie Monk, said at the time Ward had a moral obligation to help the inquiry uncover why their loved ones died, including Monk's son Michael.

The inquiry was due to finish at 1pm today and was the last hearing for the inquiry's phase three.

A final hearing would start on April 2 and would include final submissions about any aspect raised at the inquiry plus had called for input on overseas mining regulation and practice, whether extra regulation was needed in New Zealand and about the mining inspectorate.

Saturday 18 February 2012

## **MSHA focus shifting to surface mine safety in 2012**

*Business Week, USA*

Federal mine inspectors will soon refocus enforcement efforts on violations of 14 safety standards that the Mine Safety and Health Administration says are commonly behind accidents and fatalities.

Eleven of the regulations relate to surface mining, agency director Joe Main said Tuesday in announcing the third phase of the agency's ongoing "Rules to Live By" initiative. The need to shift attention became clear late last year, Main said, when a string of accidents at surface mines caused five deaths in 41 days.

Although 2011 was the second-lowest year on record for fatalities, Main said surface mines accounted for two-thirds of the total.

Officials said 37 mine-related deaths were reported last year, including 12 at coal mines on the surface and 11 at metal and nonmetal surface mines. Only nine occurred at



underground coal mines and five at underground metal or nonmetal mines.

In 2010, there were 48 mining deaths, including 29 men who died in the explosion of West Virginia's Upper Big Branch mine near Montcoal.

Although operators, inspectors and miners are working to reduce fatalities, "too many miners still lose their lives in preventable accidents," Main said. "The loss of even one miner causes devastation and pain to the victim's family, friends and co-workers."

Starting April 1, the agency will train inspectors to more carefully and consistently evaluate gravity and negligence when citing violations that caused or contributed to a death. That renewed focus could lead to tougher penalties and enforcement actions, Main said.

"It's just us taking a good look at what the data's telling us and how we can take that information and use it to prevent deaths," he said.

Training materials will also be available online for the industry and the public.

The federal agency will reach out directly to miners and their representative to make sure they have both input in the safe operation of their mines and the proper information to address any hazards they encounter, Main said.

At coal mines, inspectors will focus on: On-shift safety exams; operation and maintenance of machinery and equipment; performing work from a raised position; highwalls and pits; and the installation, operation, inspection and maintenance of loading and haulage equipment.

The agency says violations of those standards contributed to 75 deaths in the past decade.

At metal and nonmetal mines, the efforts will focus on rules related to: New task training, wall and slope stability; correction of hazardous conditions; life jackets and belts; and examination, correction and record-keeping of safety problems.

Violations of those standards led to 50 deaths in the past decade, MSHA said.

Main said he met privately with industry leaders to inform them of the latest initiative and received a generally positive response. Operators appreciate having an explanation of the agency's goals, he said, as well as time to educate themselves to comply.

The National Mining Association didn't immediately comment.

#### **Additional Resources:**

The Sky is Falling Video Set - [http://www.usmra.com/Sky\\_is\\_Falling/](http://www.usmra.com/Sky_is_Falling/)

Sunday 19 February 2012

## **Coal Mine Roof Collapse Traps 7 in N. China**

*Extract from Xinhua*

Seven workers were trapped Sunday in a coal mine roof collapse in the northern province of Shanxi, local authorities said.

The accident occurred in a shaft of the Beiyu Coal Mine in Puxian county in the city of Linfen at about 1 p.m., when the seven were checking the shaft, said a spokesman with the county government.

Rescuers had rushed to the scene. By 10:20 a.m. Monday, rescuers have pulled out all the trapped workers' bodies, said a statement from the city government.

Beiyu Coal Mine is a legally-run coal mine owned by Shanxi Puxian County Hongyuan Group.

The cause of the accident is under investigation.

Tuesday 21 February 2012

## **NZ: Pike River families back mine closure**

*Extract from nzherald.co.nz*

A spokesman for the families of the Pike River Mine disaster victims says it's "great" the Government is taking mine safety seriously by suspending operations at another West Coast mine.

The Department of Labour issued a prohibition notice to the Solid Energy-owned Spring Creek Mine for failing to report one event and not taking steps to resolve two others.

Over the past three weeks, a diesel generator caught fire and injected high concentrations of carbon monoxide into the mine; one of the main fans tripped with no alert to management for 90 minutes; and an underground auxiliary fan tripped on two consecutive days but did not stop the mining machine, as it should have, the department said in a statement.

Pike River families' spokesman Bernie Monk said he fully supported the decision to suspend operations at the mine.

"It's great to see. The families don't want to wait for the (Royal Commission of Inquiry into the Pike River mining tragedy) to be over before they put the inspectorate in place.

"Underground mining in a gassy situation is one of the most dangerous situations in our country so you've got to have openness \_ you must keep people up to speed with what's going on and if we have to close down a mine then so be it.

I know that the miners feel the same way."

Grey District Mayor Tony Kokshoorn said the move showed standards of mine safety had improved since the Pike River disaster, when 29 miners lost their lives in a series of underground explosions.

"Dotting your 'i's and crossing your 't's is so important for safety in coal mines. Regulation is

part of that so a combination of government and owner responsibility - rather than the onus just going on the owner - is needed."

Ged O'Connell, the assistant national secretary for the miners' union, the Engineering Printing and Manufacturing Union, said it was concerning Solid Energy had not met best practice but he was encouraged by the Government's response.

"I think the words that are crucial here are 'the employer must take all practicable steps' and it appears the high hazards unit (established by the department following Pike River) are interpreting that at a considerably higher level than they have in the past," he told Radio New Zealand.

Department officials had a teleconference with Solid Energy senior managers this morning.

Acting chief inspector of mines Gavin Taylor said the company had agreed to provide a full explanation of the safety failures and a definite timeline for addressing them.

"The company was open and responsive to the concerns that led us to issue the prohibition notice.

"We've told Solid Energy that, providing this information meets our requirements, we will lift the prohibition notice."

A decision on whether the notice will be lifted is expected tomorrow.

Mr Taylor earlier said it had been determined the events that prompted the notice represented failures in management processes.

Solid Energy chief operating officer Barry Bragg acknowledged there were "gaps" in the mine's management and reporting systems, as identified in a mine safety audit year.

However, he said staff were never at risk.

"Our first control failed but we had other controls in place to ensure our staff were safe and we're comfortable about that, but we're running investigations about why the first control failed," he told Radio NZ.

Spring Creek employs about 230 people, with about 40 people working underground at any given time.

Last week the department closed down the Broken Hills gold mine on the Coromandel Peninsula for failing to comply with mining regulations.

Wednesday 22 February 2012

## Chile: Collahuasi says resumed ops after halt on worker death

*Extract from Bloomberg*

SANTIAGO: Anglo American Plc (AAL) and Xstrata Plc's (XTA) Collahuasi operation in Chile restarted today after a fatal accident shut the world's third-largest copper mine.

Both mining and plant operations were closed yesterday pending an investigation into the worker's death at the mine's sulphur plant that occurred Feb. 20, spokeswoman Bernardita Fernandez said in an e-mailed statement today. The investigation will continue even as mining restarts, she said.

Collahuasi, which produces about 3 percent of the world's copper, was disrupted earlier this week by snowstorms caused by a seasonal weather front at the site 4,400 meters (14,426 feet) above sea level.

Output at the mine declined 10 percent last year to 453,409 metric tons after adverse weather, labour stoppages and lower ore grades affected operations.

## USA: Mine Superintendent Charged in 2010 Disaster

*Extract from The New York Times*

Federal prosecutors filed charges Wednesday against Gary May, a superintendent of the West Virginia coal mine where an explosion left 29 dead in 2010, continuing an emotional case that has been closely watched by the mining industry and the families of the dead miners.

Mr. May is the third mine supervisor to be charged in the disaster, the worst mining accident in the United States in 40 years. Last year charges were brought against two others — the mine's security chief and a foreman who had not been at the mine on the day of the explosion.

But Mr. May, one of the mine's two superintendents, is the most senior, and industry observers say the charges against him are an indication that prosecutors are getting closer to the executives who ran the company, Massey Energy, which has since been bought by Alpha Natural Resources.

"They're moving up in the food chain," said Tony Opegard, a Kentucky lawyer who defends miners. "This will cause some sleepless nights for people high up in the corporate ladder."

The way the charges were filed — directly to the court by prosecutors from the United States attorney's office, instead of by a grand jury indictment — indicates that Mr. May is cooperating with prosecutors, a strategy that observers say could eventually lead prosecutors to top executives, including Don L. Blankenship, the former head of Massey, who state investigations concluded had enforced a culture of cutting corners and ignoring risks for the sake of profit.

The charges, filed in federal court in West Virginia, include conspiracy to defraud the United States by impeding a federal agency, a felony that is punishable by up to five years in prison.

The charging document paints a picture of deception with Mr. May at its centre, directing workers to falsify record books and speaking to them in code as a way of warning that inspectors were coming.

According to a person close to the investigation, those phrases included "bringing in a load of blocks," and "it's raining outside" or "there's a hailstorm outside." Another warning phrase was

"I had a hamburger (or cheeseburger) for dinner last night," the person said.

The conspiracy charges against Mr. May were an unusual strategy, lawyers said. Few violations qualify as federal felonies under existing law, and law enforcement has been hampered by weak misdemeanor penalties. A conspiracy charge allows prosecutors to be more flexible in their strategy, and if it is successful, could give them a tool to reach senior mine officials who have traditionally been insulated from criminal charges because they are rarely involved in actual coal mining.

Mr. May began working at the Upper Big Branch mine, as it was known, in February 2008 as a foreman, according to the charging document. He was promoted to superintendent in 2009 and held that position through April 5, 2010, when the explosion happened.

In a statement e-mailed to reporters, Alpha said that Mr. May became an employee of an Alpha subsidiary after that company acquired Massey Energy last year. It said he had been placed on administrative leave.

At the heart of the charges is an accusation that Mr. May knowingly misled federal inspectors from the Mine Safety and Health Administration when they made regular checks to ensure that the mine was safe, signalling to workers on site, sometimes using code phrases, that inspectors were about to arrive. That allowed them to conceal violations for which they would have otherwise been penalized.

Charges also include making changes in the ventilation system in the mine just before federal inspectors arrived to make it appear that the parts of the mine being examined by inspectors had better air than they actually did.

Another action that contributed to the conspiracy, the charging documents say, was the circumvention of a methane monitor, which is attached to a continuous mining machine and shuts it down if methane levels rise. In February 2010, one such monitor broke, the document

alleges, and prosecutors accuse Mr. May of ordering the rewiring of that monitor to defeat the legally required shutoff mechanism, allowing the machine to be operated for several hours without a functioning methane monitor.

"Mine safety and health laws were routinely violated," the charging document stated, "in part because of a belief that following those laws would decrease coal production."

*This article has been revised to reflect the following correction:*

**Correction: February 22, 2012**

*An earlier version of this article stated incorrectly the action federal prosecutors had taken against Gary May. Mr. May has been charged, not indicted.*

## Mining dictionary

### A guide to coal mining terminology

#### B

#### BED

A stratum of coal or other sedimentary deposit



Outcrop of a thin coal bed, Cherokee County, Kansas, USA

-Ed