



# Mining Accident News No.1223

12 to 28 October 2012

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Friday 12 October 2012

## Canada: Goldcorp fined C\$350,000 in death of Hoyle Pond Mine electrician

*Extract from [www.goldtrading.ch](http://www.goldtrading.ch)*

**The death of an electrician at a Timmons-area gold mine last year in a scoop tram-related accident has led to modifications by Goldcorp to reduce blind spots for tram operators.**

Timmons, Ontario, Justice of the Peace Alex Spence Thursday fined Goldcorp Canada C\$350,000 in the death of David Yuskow, Sr., 57, an electrician at the Hoyle Pond Mine who died on March 10, 2011.

Goldcorp Porcupine Gold Mines (PGM) General Manager Marc Lauzier entered a guilty plea to violating Ontario's Occupational Health and Safety Act.



[Hoyle Pond Mine](#)

On March 10, 2011, a worker was operating a scoop tram in a production area of Hoyle Pond. Two workers, Yuskow and a mechanic approached the tram on foot and talked to the tram operator about work to be done that day including installing an electrical cable in the tram haulage way, and emissions testing.

The tram operator drove away to get a piece of equipment, while Yuskow began laying electrical wire in the tram's work zone, and a third worker entered the work area on foot.

The tram operator returned thinking there were only two workers present. Special prosecutor Wes Wilson said the tram operator was not aware of Yuskow's proximity in the tramway. The operator saw two cap lamps near the entrance and was unaware that Yuskow was laying electrical wire in the work zone. Yuskow was run over and killed by the tram.

Goldcorp Canada pleaded guilty to failing to ensure that there was a safety procedure in place in the area of the accident to protect workers when mobile equipment was in use; that workers were instructed on such a procedure; and the procedure was implemented through

**NOTE:** Views expressed in this newsletter are those of the individual sender, and are not necessarily the views of the NSW Department of Trade and Investment, Regional Infrastructure and Services  
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appropriate supervision, said Ontario's Ministry of Labor.

In addition to the fine, the court imposed a 25% surcharge as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund for crime victims' assistance.

The court was informed that immediately after the accident, Goldcorp expanded its policy for safety in travelways and special meetings were held to discuss the incident.

Goldcorp attorney Robert Mansell told the court that Goldcorp is also working to install video cameras on scooptrams to reduce blind spots close to the machine.

The gold mining company had faced a maximum fine of \$500,000, but Justice of the Peace Spence said Goldcorp Canada had no previous record for these kinds of offenses under Ontario's Ministry of Labor.

## **USA: Rescued Ohio miners describe 'harrowing experience'**

*Extract from Pittsburgh Post Gazette, USA*

When the mine shaft's roof collapsed behind Gary Dulkoski, it sounded like a bomb exploded. A blast shook the tunnel. Dust filled the air.

As things cleared, Mr. Dulkoski could see the bad news in the form of a dead end before him and a floor-to-ceiling pile of rubble behind him.

"We're trapped," the veteran roof bolter told his young partner, Jacob Harris. "We can't go nowhere."

It was Wednesday morning, hundreds of feet below Hopedale, Ohio. The men were already well into their shifts and about three miles into the mine. As most people were starting their work day and guzzling a second cup of coffee, the two miners were hoping they could simply stay alive.

Word of the collapse at the Hopedale Mining LLC bituminous coal operation, about 55 miles from Pittsburgh, traveled quickly.

"We were on our last row in the 'E' to 'F' entry and down she come behind us," Mr. Dulkoski said Thursday. "My God, I mean you couldn't see back there it was so dusty. And after all the dust had settled, I mean there was just tons and tons of rock. I didn't know how much. Later on I could hear somebody hollering in the background, 'Are you all right? Are you all right?' I hollered real loud, 'Yeah!' "

It was about 9:30 a.m. For the next nine-odd hours, Mr. Dulkoski, 60, of New Philadelphia and Mr. Harris, 23, of Unionport would inhabit a space roughly 30 feet long, 18 feet wide and 5 feet high. Although the collapse cut the power, a roof bolting machine was already pressurized to support the mine roof in the area known as a crosscut, or a spur running from one tunnel toward another at a 60-degree angle.

"I've been a coal miner for over 20 years, and it was a harrowing experience," Mr. Dulkoski said. "I never want to experience anything like that again. It was terrible."

They spent a lot of time sitting and talking. Mr. Dulkoski, nicknamed "Zag" -- his brother is "Zig" -- said he tried to bolster the spirits of Mr. Harris, nicknamed "Gutshot."

"He was really shaking. He didn't think he was gonna make it. I kept trying to reassure him everything's gonna be all right."

Relatives of the miners gathered to await news while the company worked with the Ohio Department of Natural Resources and the federal Mine Safety and Health Administration to hatch a rescue plan.

Family members were relieved that the miners were in radio contact with their rescuers.

"They kept my son and daughter-in-law very well informed," said Drenda Harris, Mr. Harris's grandmother. "I think we were very positive about it."

The miners waited. Oxygen and food weren't a problem. Neither was hurt. Mr. Dulkoski had left his lunch bucket behind, but Mr. Harris shared his water, potato chips and crackers. They didn't touch the shrimp. ("They're really into lunches and lots of water," Ms. Harris said of her grandson and his mom.) Both took turns shining their head lamps.

On the other side of the collapse -- through perhaps 30 feet of rock -- rescue teams were removing the debris and securing the roof. It took about 50 carloads to haul enough rock out to make a 3-by-4-foot hole through which the men could crawl.

They clambered onto a flatbedlike shuttle car usually used to transport coal. Rescuers had jury-rigged a protective canopy of corrugated steel to protect the miners and the man driving the vehicle from falling rock.

"There's always concerns when a roof isn't supported. Travel through an unsupported roof is strictly forbidden in a coal mine," except in such emergency cases, said John Ziants, who supervises mine inspectors for the natural resources department. "You want to do all you can -- all you can -- to make sure the hazards of the roof are negated."

They emerged from the mine around 7:30 p.m.

"I came out of that buggy so fast," Mr. Dulkoski said. "I just told a boy last week this is a very dangerous occupation. He come up to me after I told him that 15 or 10 minutes, he said, 'You're right, Zag, this is a dangerous occupation.' When I got out of this buggy he was the first guy to come up to me and he squeezed me so tight."

Mr. Dulkoski said he went home and hugged his wife. Mr. Harris, who could not be reached, just wanted a shower, according to his grandmother, who spoke with him by phone.

The mine remains closed and under federal investigation. In May it was targeted for an impact inspection by MSHA, which is for mines "that merit increased agency attention and

enforcement due to their poor compliance history or particular compliance concerns ..."

Records show 44 inspections this year, of which 20 resulted in violations.

The mine's operator, Rhino Resource Partners of Lexington, Ky., could not be reached for comment.

Both Mr. Dulkoski and Ms. Harris said safety is paramount at the Hopedale operation.

"They was taking all the proper care," Mr. Dulkoski said. "We [felt] safe over there. They did everything according to the laws."

State and federal investigators have determined that the collapse "was a combination of geology and gravity and was not related to any mining violation," according to the Ohio natural resources department.

## Queensland Mines Minister blames industry accidents on 'stupidity'

*Extract from Fraser Coast Chronicle, Qld, Aus*

GREENSKIN or new workers in the mining industry have copped the blame for a spike in injuries in the past 12 months, with Mines Minister Andrew Cripps warning sometimes "you cannot account for stupidity".



Natural Resources and Mines Minister and Hinchinbrook MP Andrew Cripps Photo: Greg Miller / Sunshine Coast Daily.

He made the quip as the Opposition attempted to link safety statistics to a redundancy package given to a marketing worker in the department.

Commissioner for Mine Safety and Health Stewart Bell and Mr. Cripps faced questions

during a Department of Mining estimates hearing, which often centred on the Queensland Mines Inspectorate's annual report for the most recent financial year.

The report found in 2010-11, 851 workers across all sectors including quarries and gas projects suffered "lost time injuries and disabling injuries".

It increased by more than 23% to 1047 in 2011-12.

A key indicator in workplace health was judged on the amount of injuries per million hours worked.

In 2011-12, this was 6.8, up from 4.2 the year before.

"This is a large increase and a cause for serious concern," Commissioner Bell said.

The minister said one improvement in the figures was that these were less severe and the number of fatalities fell in 2012 from three to one.

The paper also found more workers and mines were reporting dangerous activity or near-misses which ensured more transparency.

Mr. Bell spent part of 2012 working as a commissioner on the Royal Commission into the Pike River mine disaster that killed 29 in late 2010.

He said he had seen the kind of "unbelievable" behaviour in Queensland mines that could deliver those horrors to our industry.

He said some miners disabled underground methane monitors by either turning them off or putting plastic bags over them and that was not all.

"We caught a person smoking underground in a coal mine which is something unheard of; it's almost unbelievable," he said.

"The concerns that I have is that these incidents could be a pre-cursor to a mine explosion."

Mr. Bell said in his work on the Pike River Commission he saw examples of a similar behaviour and a consequence he did not want repeated in Queensland.

Both the commissioner and minister said less experience workers - which grew the industry from 39,000 in 2009 to 58,000 in 2012, sometimes struggled with safety rules.

"There's no doubt that the increase in new miners, or greenskins as they're known, is a factor here," Mr. Bell said.

"A lot of these people don't know what they don't know - they don't realise the risks."

Both Mr. Bell and Mr. Cripps conceded the figures were a concern, with Mr. Bell explaining staff from the mines inspectorate - which is a government arm focused on safety - had already met with resource firms to "express dissatisfaction".

Mr. Cripps said Queensland still led the world in mine safety but vigilance was important to ensure workers came home safely to their families.

### Quote of the week



"Worry is a misuse of imagination."

Dan Zandra  
USA, writer and publisher



Monday 15 September 2012

## **S. Africa: Palaborwa disputes miner death reports**

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

Palaborwa Mining Company said only one person was killed in an accident at its Limpopo operations on Sunday, SABC radio reported.

Keith Matole confirmed that one miner was killed, but said two others were trapped following a rockfall at another shaft.

"There was an employee who was found dead underground in the crushers."

Police were called and were investigating the cause of death.

One of the two trapped miners were rescued.

Earlier, the National Union of Mineworkers (NUM) said three miners were crushed to death at the mine.

Regional secretary in the North East, William Mabapa said the accident occurred at the copper mine on Saturday's night shift.

The miners were investigating a blockage in a rock crusher and were standing beneath it, trying to unblock it.

"When they managed to unblock it, the rocks that were in it fell on them, crushing them to death," he said.

All the men were NUM members.

Mabapa said the Department of Mineral Resources was expected to probe the incident

## **MSHA: Mining Fatality, Injury Rates Fell To Historic Low In 2011**

*Extract from [LEX18.com](http://LEX18.com), Lexington, Kentucky, USA*

Mining fatality and injury rates fell to an all-time low in 2011 according to data recently released from the U.S. Department of Labor's Mine Safety and Health Administration.

The fatal injury rate for mining as a whole was .0114 per 200,000 hours worked, and the all-injury rate was 2.73 per 200,000 hours worked, down from .0234 and 2.81, respectively, in 2010. In the metal/nonmetal mining sector, the fatal injury rate was .0084 per 200,000 hours worked, and the all-injury rate was 2.28 per 200,000 hours worked, down from .0129 and 2.37, respectively, in 2010. In the coal mining sector, the fatal injury rate was .0156 per 200,000 hours worked, and the all-injury rate was 3.38 per 200,000 hours worked, down from .0384 and 3.43, respectively, in 2010.



MSHA also released a third-quarter summary of mining deaths across the country. From July through September 2012, 11 deaths occurred in work-related accidents - six in coal mining and five in metal/nonmetal mining.

Of the six coal mining deaths, one miner was killed as a result of a machinery accident; two miners were fatally injured as a result of fall of rib, roof, face or back accidents; and three miners were killed in powered haulage accidents. Of the five metal/nonmetal mining deaths, two miners died as a result of falls, one miner died in a machinery accident, one miner lost his life due to falling material, and one miner was killed in a powered haulage accident.

"Even though the mining industry has achieved historic low fatality and injury rates, we know that more needs to be done, and that fatalities and injuries are preventable," said Joseph A. Main, assistant secretary of labor for mine safety and health. "Many mines operate every shift of every day, year in and year out, without a fatality

or a lost-time injury. Fatalities can be prevented through effective safety and health management programs in the workplace. Pre-shift and on-shift examinations can identify and eliminate hazards that kill and injure miners. And providing effective and appropriate training will ensure that miners recognize and understand hazards and how to control or eliminate them."

To identify mines with health and safety problems, MSHA has undertaken a number of outreach and enforcement initiatives such as special impact inspections and "Rules to Live By," a fatality prevention program that highlights the safety and health standards most frequently cited during fatal accident investigations. "We believe these actions, along with those adopted by the mining industry, can make a positive difference," said Main.

An analysis of third-quarter mining fatalities, along with best practices to help mine operations avoid such fatalities, is available on MSHA's website at

<http://www.msha.gov/fatals/summaries/summaries.asp>.

Tuesday 16 October 2012

## **7 miners killed in Central China mine accident**

*Extract from Xinhua, China*

Seven miners suffocated in a mine accident in Central China's Hunan province, a local official said Tuesday.

The fatal accident occurred on Monday morning when four workers were trapped in a manganese mine under construction while conducting examination work underground, said the official at the Lingling district government, Yongzhou city.

Four others tried to rescue them but were trapped too. All the eight were pulled out of the mine Monday afternoon. One was rescued, the other seven died despite doctors' efforts.

The survivor is in a stable condition in hospital. The cause of the accident is under investigation.

Friday 19 October 2012

## **USA: Overheated spool caused fire in mine**

*Extract from The Star Phoenix, USA*

Investigators believe they have confirmed the cause of a potash mine fire that forced 20 workers to hole up underground for the better part of a day.

No one was hurt when the blaze erupted at Potash Corp. of Saskatchewan Inc.'s mine near Ro-canville last month, about 245 kilometres east of Regina. But it was 18 hours before the workers could leave refuge stations and safely return to the surface. Damage was minimal.

The Saskatoon-based company says a wooden cable spool overheated as it was dragged through the mine.

PotashCorp spokesman Bill Cooper says the company is deciding whether to switch to steel spools or change how they're transported through the mines.

"We believe the cause of fire was friction between a skid plate carrying the cable reel and the ground," Cooper said.

"They get dragged from the mine entrance to where they're stored, which is about 16 kilometres underground, and it eventually caught fire."

A final report will be submitted to Saskatchewan's mine safety unit. Cooper believes that will be the end of it, since all safety procedures were followed.

Monday 22 October 2012

## **Victory Unlikely for Widows of Killed Miners**

*Extract from Court News Service, Pasadena, California, USA*

(CN) - The 9th Circuit questioned if it has the jurisdiction to hear the claims of three widows whose husbands died in a methane explosion at a Mexican coal mine.

Yolanda Gonzalez Diaz, Elizabeth Castillo Rabago and Tomasita Martinez Almaguer claim in a 2010 federal complaint that Grupo Mexico and its subsidiaries, Americas Mining Corp. and Southern Copper Corp., "failed and refused to take the necessary steps - steps which they were informed by the Mexican government as well as the miners themselves that they needed to take to prevent an imminent, fatal catastrophe of the type which transpired."

The Feb. 19, 2006, explosion at Pasta de Conchos mine in Coahuila, Mexico, trapped and killed 65 miners.

In March 2011, U.S. District Judge Roslyn Silver ruled that the Universal Declaration of Human Rights "cannot establish customary international law on its own because it is merely aspirational." Silver also said that the widows had failed to cite any cases asserting that there is Alien Tort Claims Act jurisdiction on the basis of workplace health and safety.

The parties appeared Friday before a three-judge panel of the 9th Circuit in San Francisco.

Amanda Fisher, a lawyer for the widows, argued that the Universal Declaration of Human Rights does establish jurisdiction in this instance because "courts have held that it's a document that evidences universal principles of law."

Judge Carlos Bea asked Fisher if she believed that there was a law implying that "worldwide workers have a right to a safe place to work."

"What do you cite as the customary law of the world that there is an absolute right to a safe place to work?" Bea asked.

Fisher answered: "Grupo Mexico, one of the defendants in this case itself, has a policy listed on its website that says it will maintain a safe and healthy working environment."

Judge Paul Watford questioned Fisher's responses.

"But you don't even have universal standards for occupational safety across the globe," he said. "People look at it, I assume, totally differently in various places of the world, so how do they even know how to comply?"

Fisher replied that the widows are "not contending that every workplace accident should come to the United States federal courts" because "some workplace accidents are accidents."

Bea asked Fisher if there was "any limiting principle to your proposal that the federal courts be open to every alien that is hurt in any workplace accident where the accident may be caused in whole or part by unsafe work conditions?"

Fisher said the plaintiffs would have to prove that an employer failed to provide a reasonably safe place to work.

"By the standard that a company, a corporation, an individual, a government should not be able to have the knowledge that the mine or that the workplace is going to explode or that an accident is going to occur and then allow the workers to continue to go to that workplace," she said.

Judge William Sessions III also sat on the panel.

## This week in mining accident history

**24 October 1840**  
**Dundyvan No.3 Pits**  
**Scotland UK**  
**Underground coal mine**  
**Fire damp explosion**  
**4 killed**

**Shocking Coal Pit Accident** – On the morning of Saturday last, an explosion of fire damp took place on one of Dundyvan Pits, No 3, when a man of the name of Wm. Donachie, residing in Airdrie, and a boy of the name of Brown, were killed on the spot. A man of the name of Solomon Gabney had his leg broken (since amputated), while Christopher Laird and the brother of the boy Brown are now lying in the most imminent danger, from the numerous bruises they sustained. The person who had his leg broke was the innocent cause of the catastrophe, having incautiously ventured, after being warned, with his common lamp, to the spot where the foul and damp air had been pent up from the day previous. The Davy lamp, which was quite convenient, would have prevented the fatal error. When will miners take warning? - Glasgow Argus [Scotsman 28 October 1840]

**Dundyvan Coal Pit Accident** – Of the five individual sufferers at the explosion of inflammable air in No 3 pit, Dundyvan, as mentioned in Monday's Argus, only Solomon Gabney survives; the two who were said to be in imminent danger have since expired in great agony. Gabney, who is believed to have been the headstrong cause of the fatal deed, is doing well since the amputation of his leg. [Scotsman 31 October 1840]

Thursday 25 October 2012

## NZ: Pike River boss in court over mine disaster

*Extract from ABC News Online, Aus*

The Pike River coal mine's former chief executive has pleaded not guilty to health and safety charges laid after the New Zealand mine disaster.

Twenty-nine men, including two Australians, were killed when a series of explosions rocked

the underground mine near Greymouth on the South Island in November 2010.

As chief executive of Pike River Coal, Australian Peter Whittall became the public face of the mining tragedy.



[Peter Whittall has plead not guilty on all 12 charges](#) (photo AFP Mart Melville)

Whittall appeared in the Greymouth District Court today with his counsel, who on Whittall's behalf entered pleas of not guilty on all 12 charges.

Whittall's lawyers said in a statement that he would fight the allegations "with all the means at his disposal".

"He has been a coal miner all his life. He relates to, and identifies himself with, coal miners," the statement said.

"He would never do anything or take any decisions which would endanger those with whom he worked."

Whittall is accused of failing to protect workers in regard to methane, strata and ventilation management.

The case will return to court in March.

In July, Australian drilling company VLI Drilling pleaded guilty to three health and safety charges relating to the maintenance and operation of its drill rig used at the Pike River mine.

The company said the charges did not relate to the disaster itself but instead to its failure to have a procedure in place to verify that Pike River Coal had conducted inspections of its drill rig.



## **S. Africa: Palabora resumes production after accident**

*Extract from miningweekly.com*

JOHANNESBURG – JSE-listed copper miner Palabora on Thursday reported that it had restarted production at its mine, following the death of a worker on October 14.

Two workers were trapped underground while carrying out repairs on a blocked crusher. One employee was rescued.

“An investigation following the incident is well under way in accordance with legislative requirements and a report will be presented to the relevant authorities shortly,” MD Tony Lennox said in a statement.

He added that the work stoppage provided the company an opportunity to review its safety efforts and to begin rolling out new safety strategy Goal Zero, which had been work-in-progress for several months.

Friday 26 October 2012

## **S. Africa: Mine death puts production on hold at Tau Lekoa**

*Extract from miningweekly.com*

JOHANNESBURG – JSE-listed miner Village Main Reef on Friday reported that it had stopped production at its Tau Lekoa operation in Orkney, following the death of a contract miner in a rock fall incident.

The accident occurred on Wednesday and the injured passed away on Thursday.

The Department of Mineral Resources (DMR) inspectorate in the North West province was alerted and an initial investigation has been conducted.

The inspectorate has issued a Section 54 instruction, stopping all production at Tau Lekoa. “The management of Tau Lekoa is working closely with the DMR to reduce the duration of the stoppage on production at Tau Lekoa, while

a full investigation continues,” the company stated.

## **Drill contractor fined in the wake of NZ mine disaster**

*Extract from ABC News Online, Aus*

A Hunter Valley drilling company has been fined nearly \$50,000 in the wake of New Zealand's Pike River Mine Disaster.

The Pike River Coal mine explosion killed 29 men on November 24, 2010.

Three of the men worked for Hunter Valley drilling contractor, Valley Longwall International.

It is known as VLI Drilling and was charged with three offences.

The Pike River Coal Company and its Chief Executive were also charged.

Earlier this year, VLI Drilling pleaded guilty to all three charges relating to the maintenance and operation of its drill rig.

In Greymouth District Court the company was fined \$46,800 for breaching occupational health and safety.

In a statement, VLI Drilling stressed the charges do not relate to the actual mine disaster, but related to its failure to have a procedure in place to verify that Pike River Coal had conducted its inspections of its drill rig.

"In its prosecution of us, the Department of Labour acknowledged that our failure caused no actual harm, and could not causally be linked to the tragic explosions at the Pike River mine.

"The judge also found that the only link between the admitted offences and the mine explosions was that the explosions were the catalyst for a detailed analysis and investigation of procedures at the mine and it is that process that led to the charges."

VLI Drilling also offered its condolences.

"As always, our thoughts remain with the families and friends of all the victims of the Pike River Mine Disaster."



**Photo:** Candles burn at Holy Trinity Anglican Church in Greymouth in memory of the 29 miners killed at the Pike River Coal Mine disaster. (Martin Hunter: Getty Images)

Sunday 28 October 2012

## USA: Man dies in mining accident

*Extract from The Journal, USA*

A 52-year-old man from Ashland died in a forklift accident at Martin Marietta mine in rural Weeping Water Oct. 24.

Cass County Deputies, along with Nebraska State Patrol, Elmwood Fire and Rescue and fire departments from Weeping Water and Manley responded to the accident at 2651 Highway 50 in rural Weeping Water at 10:14 a.m. Wednesday.

Darold D. Abbott, Jr., was operating a forklift carrying an empty trash dumpster. Traveling northbound and downhill toward the entrance of the mine, Abbott lost control of the forklift.

The dumpster fell off and the forklift continued down the hill when it struck a concrete base supporting the conveyor belt. The forklift rolled over on its left side and pinned Abbott underneath. He was pronounced dead at the scene.

Mine Safety and Health Administration officials are handling the accident investigation. Cass County Sheriff's Department has completed its investigation.

## Mining dictionary

A guide to coal mining terminology

### B

**Brattice or brattice cloth** Fire-resistant fabric or plastic partition used in a mine passage to confine the air and force it into the working place.

-Ed

### CORRECTION

The source of an article on page 5 of Mining accident News No.1222, **California Fatality is Third in 5 Days in Mining**, was not credited. The extract was from the publication *Sharpe's Point: On Mine Safety. Extracting Insights for Industry*. Article by James Sharpe, President, Sharpe Media, LLC. Apologises to Mr Sharpe.

All efforts are made to credit the publisher of the extract. -Ed