

Mining Accident News No.0909

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Wednesday 11 March 2009

Safety violations kill six at Mongolia coal mine, investigators say

Extract from www.chinaview.cn

HOHHOT -- Safety violations led to the deaths of six coal miners in the northern Inner Mongolia Autonomous Region, a team investigating the accident told Xinhua Wednesday.

Four people responsible for the tragedy, who were taken into police custody Tuesday, admitted that the privately-owned facility, although licensed, had been ordered to suspend production until safety requirements were met.

Six of the 15 miners on duty died in the accident, which occurred at about 10:20 p.m. Monday. Rescuers found the bodies of the six miners at about 5 p.m. after more than ten hours' searching. Six others escaped safely. The three injured miners are still hospitalized.

He Ping, one of the mine's deputy heads, acknowledged that he signed the suspension notice issued by the coal mining administration of Jungar Banner on Dec. 15, the investigators said. The order was issued because of inadequate ventilation and lack of safety training for miners. The local production safety bureau found miners did not wear personal oxygen tanks when working and some even smoked.

However, the investigators said, the owners ignored the order because they wanted to take advantage of rising coal prices.

Yang Jianju, deputy head of the Banner, said gas concentrations in local coal mines were generally low, so mine owners and workers had become complacent about safety requirements.

All collieries in Jungar were ordered to stop work on Wednesday for a week for a safety overhaul, the banner's government said Tuesday. The government of Ordos City, which

administers Jungar Banner, ordered a month-long work inspection starting Tuesday.

Friday 13 March 2009

Two detained over fatal mine accident in east China

Extract from www.chinaview.cn

HEFEI -- Two senior officials of a gold mine have been detained after the death of five miners in Anhui Province Sunday, the local work safety authority said Friday.

The detained were in charge of technology and work safety management of Maijie Mining Co. Ltd. in Dongzhi County, Chizhou City, according to the provincial work safety supervision administration.

Nine officials of the company are under police custody.

Six maintenance staff suffocated while working in a mining pit of the company Sunday. One was rescued.

The mine was ordered to suspend operation for safety reform last October. It resumed production last month without official permission.

The miners entered a shaft that lacks ventilation facilities, neglecting safety rules.

All mines in the county have been closed for inspection.

Saturday 14 March 2009

UK: Mineworker crushed by boulder inquest

Extract from [The Northern Echo, UK](#)

THE exact circumstances of a young miner's death will never be known, an inquest has been told.

Darren Andrew Compton died after a boulder fell on him while he was working in Cleveland Potash Mine, near Loftus, east Cleveland.

The face miner, from High Street, in nearby Brotton, was found by his colleagues on the

ground in front of the machine he was operating in an area of unsupported land.

However, Teesside Coroners' Court was told yesterday that no one can be sure how he came to be in that location in the mine.

Mr Compton, 24, who had worked at the site for two years, was operating the bolter machine, which is used to insert bolts into the roof and walls in mined areas, when the incident happened on April 19, 2007.

Colleagues said everyone was aware that they should not go into unsupported areas and they said that Mr Compton was a competent worker who had never been seen doing anything wrong.

They also said there would have been no need for him to be standing in front of the machine.

Mr Compton suffered multiple injuries after part of the side wall collapsed on him.

James Arthur, inspector for mines for the Health and Safety Executive, said he could only speculate on where Mr Compton had been standing at the time of the incident.

He said: "I can't find a conclusive reason why Darren Compton was found in front of the machine. I can't say this is exactly what happened. You are dealing with something here that is not uniformed."

"The dealings I have had with Cleveland Potash Mine is that it is a professional organisation."

The inquest was told how the mine's health and safety and training records were upto- date and the machine, which Mr Compton was using at the time of the accident, was in working order.

The jury at Teesside Coroners' Court recorded a verdict of misadventure.

His family were too upset to talk yesterday, but shortly after his death, his father, Robert, said: "Whatever he did, he did to the best of his ability. He was so popular."

Phil Baines, mining manager and director for Cleveland Potash Mine, said: "The company

continues to express its sympathy towards Darren's family. It hopes that the inquest has brought some degree of closure on this tragic event."

Gas poisoning kills seven in China mine

Extract from People's Daily, China

Seven miners died in a coal mine gas leak in northwest China's Gansu Province Friday afternoon, work safety authorities said.

The poisonous gas leak occurred at around 5:40 p.m. in the Fengyuanshun mine in Baiyin City when 11 miners were working underground, said Liu Tianming, director of the Gansu Coal Mine Safety Administration.

Six escaped. The other five and two rescuers -- the mine boss and a technician, died.

This is the second mine accident in the province over the past two days. Six miners died in a gas accident in Wuwei City early Thursday.

Sunday 15 March 2009

Miner dies in Bosnia methane blast

Extract from www.b92.net, Bosnia & Serbia

ZENICA -- One miner has died, while six have suffered serious injuries on Saturday in a coal mine near Zenica, Bosnia.

33-year-old Almir Babić succumbed to his injuries caused by a methane explosion at approximately 600 meters under the ground.

The Federal Ministry of Energy and Mining said the accident occurred when inflammable amounts of methane concentrated in the zone, with oxidation setting off the gas.

The statement said that the accident was "yet another proof that the mines must be adequately equipped, humanized and modernized as soon as possible".

93 percent of equipment in Bosnia's mines, according to a Beta news agency report, is obsolete and needs to be replaced.

This week in mining accident history

Date
Mine / Country (Aust unless stated)

19 March 2007

Ulyanovskaya Mine. Kemerovo Oblast, Russia

Underground coal mine

Incident

The **Ulyanovskaya Mine disaster** was caused by a methane explosion that occurred on March 19, 2007 in the Ulyanovskaya longwall coal mine in the Kemerovo Oblast. At least 108 people were reported to have been killed in the blast, which took place at a depth of about 270 m (885 feet) at 10:19 local time (3:19 GMT). The mine disaster was Russia's deadliest in over a decade.



Ambulances arrive at Ulyanovskaya mine, Russia, to evacuate victims of a methane explosion.

Kemerovo Oblast governor Aman Tuleyev said that when the blast occurred, "the mine was preparing to launch "Eighteen" an advanced mining safety system developed in the UK. The system signaled a sudden discharge of a large amount of methane and caving at 14:30 local time." According to the Russian Prosecutor General's office, "the explosion occurred when equipment was being tested". The explosive agent is thought to have been either methane or coal dust, both of which are highly susceptible to spontaneous combustion. The main theory for the cause of the explosion is that it resulted from "a breach of mining safety". However, the mine operator has denied any connection between the explosion and the new equipment.

Among the dead was a British mining consultant, Ian Robertson, who worked for the Anglo-German company International Mining Consultancy. According to Russian

sources, the company was involved in auditing the mine's coal reserves. He was accompanied by most of the mine's senior management, who had gone underground shortly before the explosion; the entire party was caught in the blast. The audit was reportedly being conducted in conjunction with the mine operator's planned initial public offering to raise cash for a \$700 million investment programme.

The operator of the mine is Yuzhkuzbassugol ("South Kuzbass Coal"), a half-owned associate of the Evraz Group conglomerate, which is Russia's biggest producer of deep-mined coal. The mine, which opened in 2002, is one of the newest pits in the Kuzbass coal-mining region of Siberia, with modern equipment made in the UK and Germany. It has been producing at an annual rate of about 1.5 million tonnes of coking coal concentrate.

In the aftermath of the accident it was revealed that the mine had suffered "problems with equipment safety rules". It was also been announced that 60 coal mines in the surrounding area were to be inspected for similar violations shortly after the disaster, and that the entirety of the nation's mines would be inspected over the coming weeks.

Preliminary findings from the Ulyanovskaya investigation found that safety equipment had deliberately been tampered with to lower the readings of methane levels in the mine. According to Governor Tulayev, this was done "consciously in order to increase coal production". Five mine inspectors were subsequently fired for allowing the mine operator to "breach safety rules in order to make a profit." The blast was said to have been caused by sparks from an exposed cable igniting methane gas, which in turn ignited coal dust.

Monday 16 March 2009

Eight miners killed in Meghalaya

Extract from Times of India, India

SHILLONG: At least eight miners were killed after being trapped inside a coal mine in Meghalaya's South Garo Hills district.

Rescuers on Monday recovered eight bodies from the mine at Rangsawe, parts of which caved in on Friday, police said.

While eight bodies were recovered on Monday, rescue operations were still continuing to confirm if someone was still trapped inside.

Heart rending scenes were witnessed in the miners' quarters this afternoon as the families,

still hopeful about the miners' safe return, came across the lifeless bodies.

WA mine site fire causes \$150,000 in damages

A FIRE and Emergency Services spokeswoman has announced that there has been a fire in a machinery shed at the Iluka mine site on 16 March 2009.

The Iluka mine site is located in Granville north of Perth.

The spokeswoman claims the fire was caused by a mine machine developing a gas leak which resulted in an explosion.

The roof of the shed was burnt as well as machinery and tools inside. The incident is believed to have caused about \$150,000 in damages.

Quote of the week

A perfection of means, and confusion of aims, seems to be our main problem.

Albert Einstein

Tuesday 17 March 2009

Southern Africa: 3 flown to QECH after mining fire

Extract from www.nationmw.net, Malawi, Africa

Three men working at Paladin's Kayelekera Uranium Mine construction site in the Northern Malawi border district of Karonga were on Monday flown to Queen Elizabeth Central Hospital (QECH) in the commercial capital Blantyre (900km away) where they were admitted with serious burns after a water tank they were painting caught fire.

Paladin's country manager Neville Huxham described the fire as the first major incident since construction works at the mine site started early last year.

Huxham said in a telephone interview the accident happened when "an external activity caused the fumes of the paint inside the steel

water tank to ignite, causing a flash fire which burnt the men”.

The victims, who were working for one of the contractors on the site, received immediate treatment from the project’s medical unit before they were rushed to Karonga from where they were flown to Blantyre, through Chileka International Airport, on the company’s aircraft. They have since been admitted to QECH’s Burns Unit.

Last September, management and workers at Kayelekera Uranium Project celebrated a record 2 million accident-free man hours on the construction site.

Huxham said Paladin places utmost importance on safety and well-being of all employees at Kayelekera hence was saddened by yesterday’s incident.

QECH administrator Thom Chisale said the three were being assessed by doctors to determine the best treatment. He could not tell their conditions.

Thursday 19 March 2009

WA: Fifth death in nine months at BHP's iron ore operations

Extract from ABC Online, Australia

PERTH, - A contractor has been killed at a BHP Billiton construction site in the Pilbara, the fifth fatality at the company's iron ore operations in the past nine months.

The 45 year-old man, from New South Wales, died in hospital early this morning as a result of injuries he received in an accident at the company's operations at Newman.

BHP Billiton says he was an employee of John Holland Construction.

The West Australian Department of Mines and Petroleum said it had sent an inspector to investigate.

Sergeant Greg Lambert said WA police were aware of the death but so far had few details of the circumstances.

The West Australian website said the man died after he fell 12 metres from machinery he was working on about 3am (WDT).

He died in hospital from his injuries, the report said.

BHP Billiton said the fatality did not occur at an existing operation and that mine, rail and shipping activities were continuing.

It's the fifth fatality at BHP's Pilbara iron ore operations and the seventh at the company's global operations since July last year.

In February, a worker was killed when he was hit by a train on the company's Tabba line, 74 kilometres south of Port Hedland.

That death is still being investigated by the Department of Mines and Petroleum.

Yandi deaths

A 29 year-old man and a 19-year-old man were killed in separate accidents at the company's Yandi mine, in the Pilbara, in August and September last year

And a 52-year-old man was killed at Port Hedland in July, 2008.

Some of those killed were contractors working at BHP Billiton's mine sites.

The death of a worker last month prompted the Construction, Forestry, Mining and Energy Union to accuse BHP of losing touch with the safety of workers on the ground.

South Africa: AngloGold Moab Khotsong mine closed after fatality

Extract from miningweekly.com

JOHANNESBURG – South African gold producer AngloGold Ashanti has ceased operations at its Moab Khotsong mine, near Klerksdorp, following a fatality on Monday.

A miner was killed in a fall of ground incident at the 92 level. No other employees were injured.

AngloGold Ashanti spokesperson Joanne Jones told *Mining Weekly Online* that the

Department of Minerals and Energy (DME) had been called in shortly after the accident to inspect the site.

The Moab Khotsong mine produced an estimated 71 000 oz during the quarter ended December 2008.

More than 30 miners have died so far in South Africa's mines this year.

MSHA fines Kingston family mine \$343,000

Extract from the Salt Lake Tribune, USA

A \$342,800 fine has been levied against Hiawatha Coal Co. --- the polygamous Kingston family operation that runs the Bear Canyon coal mine outside Huntington -- for a surface accident last October that left an employee with a serious head injury.

Charles Reynolds, Hiawatha's production manager, said Tuesday the company is challenging the accuracy of some facts in the federal Mine Safety and Health Administration (MSHA) citations and will appeal the fine.

This is the second fine MSHA has assessed this year against the family's mining operation, which also has had a run-in with state mining regulators.

The latest incident dates to Oct. 16, 2008, when 29-year-old Anthony Grow, a communication technician with two years of mining experience, was driving a personnel carrier down a steep road below the Bear Canyon No. 4 mine.

The vehicle's brakes failed on the 10 percent to 12 percent grade, so Grow tried to stop it by turning into the mountainside. But that caused the vehicle to roll once, landing on its wheels, said the initial investigation report by MSHA inspector Randy Gunderson.

Grow was taken by medical helicopter to University Medical Center "for specialized surgery for head injuries," the report added.

Although company officials inspected the vehicle before its use, Gunderson said his examination of its rear brakes determined "they

were worn to the point of metal-on-metal contact." Fluid also was leaking from the front brakes.

"It is inexcusable that a mine operator would allow such obvious defects to go unaddressed. The outcome could have been even worse," said acting MSHA boss Michael Davis.

Hiawatha also was cited for failure to post warning signs along the road and to inspect and record defects affecting safety. Citations also were issued for the driver going too fast and failing to maintain control of the vehicle.

This is the second large fine issued this year for surface haulage accidents outside of the Bear Canyon mining complex, near the mouth of Huntington Canyon.

MSHA fined C.W. Mining Co., another Kingston family firm that previously operated the mine, \$215,000 for four safety violations that contributed to the December 2007 death of David Whiting, 31, of Elmo.

A driver for Trimac Transportation Services Inc., Whiting was crushed to death after his coal-haul truck got stuck on a snowy gravel road leading to the mine. The company had sent a front-end loader to free his truck, but while Whiting was hooking up a chain between the two vehicles, the loader slid backward and hit him, MSHA concluded.

C. W. Mining appealed that fine, too. Hiawatha's Reynolds previously said payments in that case must be handled by the U.S. Bankruptcy Court trustee over C.W. Mining after it filed for Chapter 7 bankruptcy.

The ownership transition from C.W. Mining to Hiawatha also put the company at odds with the Utah Division of Oil, Gas and Mining.

Hiawatha initially took C.W. Mining's operating permit without going through the division's permit transfer process. While that paperwork subsequently was completed, division spokesman Jim Springer said Hiawatha failed to post a \$1.7 million bond to assure post-mining surface reclamation was done.

Without that bond, the division ordered Hiawatha to stop operations. That resulted in 40 full-time and up to 30 part-time employees being laid off earlier this year, Reynolds said, adding that the division's order is being appealed.

Decision near on criminal probe of Crandall Canyon mine disaster

Extract from Deseret News, Salt Lake City, UT, USA

A decision about whether to pursue criminal charges over the Crandall Canyon mine disaster that killed nine people could be coming within weeks, federal prosecutors told the Deseret News.

Investigators have been questioning witnesses as they decide whether or not to seek a grand jury indictment for alleged misrepresentations made to federal authorities.

"Oftentimes, what gets people in trouble is lying about what they knew and when they knew it," U.S. Attorney for Utah Brett Tolman said Tuesday.

The case was referred to federal prosecutors last year in the aftermath of the August 2007 collapse at the Crandall Canyon mine near Huntington. Kerry Allred, Luis Hernandez, Carlos Payan, Brandon Phillips, Don Erickson and Manuel Sanchez were trapped 1,500 feet underground in the Aug. 6 cave-in. Ten days later, Dale Black, Brandon Kimber and Gary Jensen died in a rescue attempt when another portion of the mine collapsed.

Tolman said their investigation was looking at lies to congress and federal regulators, but he was also focusing on an underlying pattern of problems at the Crandall Canyon mine.

"There's a difference between bad business and criminal behaviour," Tolman said.

Tolman wouldn't say who specifically is being targeted in the criminal investigation, nor would he reveal who has been questioned. Tolman said prosecutors have received cooperation

from all sides, including Murray Energy Corp., which owns the mine.

"I think everyone is interested in trying to find out what happened," Tolman said. "We hope that that continues."

The case was referred to the U.S. Attorney's Office for Utah last year by the federal Mine, Safety and Health Administration and members of congress. MSHA declined to comment on Wednesday. Representatives of Murray Energy Corp. also declined comment.

Tolman said the investigation was "well over the hump," but said no deadline has been set on when his office would decide if they would pursue charges. If Tolman decides that criminal charges are warranted, he said he would present the case directly to a federal grand jury to make the ultimate decision.

A pair of civil lawsuits filed on behalf of victims and surviving family members against Murray Energy Corp. are pending in state and federal courts in Salt Lake City.

Fatal WA accident: Workers walk off job

Extract from ABC Online, Australia

Western Australia's construction union says hundreds of workers on John Holland sites around the state have walked off the job after the death of an employee in the Pilbara.

A 45-year-old man died in hospital this morning from injuries he suffered when he fell from a significant height at a BHP-Billiton construction site in Newman.

The man is understood to be from New South Wales and was employed by John Holland.

Joe McDonald from the Construction Forestry, Mining and Energy Union says it is the company's second work-related death this year.



Construction Union official Joe McDonald says workers have walked off the job after a worker died in an accident at a BHP-Billiton site in WA's Pilbara.

"All of John Holland's Perth sites - Bluewater, Worsley, Performing Arts Centre, Hollywood Hospital, Centrak Law Courts, the Airport, they've walked off the job out of respect for a fallen worker. So all jobs have stopped for today," he said.

It is the fifth death at a BHP Pilbara mine site in the past eight months.

In February, a worker was killed when he was hit by a train on the company's Tabba line, 74 kilometres south of Port Hedland.

That death is still being investigated by the Department of Mines and Petroleum.

Friday 20 March 2009

Six dead, four missing in Chinese coal mine flood

Extract from RIA, Novosti, Russia

XIANGGANG (Hong Kong), - Six people were killed and four others are still missing following flooding at a coal mine in southwest China's Guizhou province early on Friday, the Xinhua news agency reported, citing local officials.

Thirteen miners from a total of 23 managed to escape from the Lianfa Coal Mine, in the Qinglong County, the agency said.

The search for the missing miners is continuing. The cause of the accident is being investigated.

China's mining industry is considered one of the world's most dangerous, with accidents killing at least 3,000 miners every year.

Safety feds target mining operations

Fifteen mining operations need to clean up their health and safety practices or face stricter enforcement, the federal Mine Safety and Health Administration (MSHA) said this week.

The agency said the 13 coal mines, a dirt processing plant, and a gold mine consistently have had "significant and substantial" violations that could have caused serious injuries or illnesses.

"Hopefully, these operations will use this opportunity to incorporate needed improvements into their safety and health programs," said Michael Davis, MSHA deputy assistant secretary for operations.

Those mining operations need to create plans that will reduce violations, officials said. Additionally, the operations will undergo close monitoring by health and safety inspectors for 90 days. If they improve, MSHA said they will not go on the list as having a pattern of violations, which leads to greater scrutiny and tougher disciplinary action.

Among other things, the designation allows MSHA to interrupt production by ordering workers to leave a mine until officials correct a serious violation.

The agency has issued similar warnings to more than 40 U.S. mining operations since mid-2007, including 16 last June. Those mines reduced their serious violation rates, MSHA said.

Among the operations warned are two mines and a processing plant controlled by Richmond, Va.-based Massey Energy Co., the nation's fourth-largest coal producer by revenue.

Massey issued a statement saying they were able to correct problems after receiving warnings in the past.

The agency also singled out Richmond, Va.-based James River Coal Co. about its Blue Diamond Coal Co.'s mine No. 77.

Hidden Splendor Resources Inc. is also on the list for violations at the Horizon mine 11 miles west of Helper, Utah, according to MSHA.

"We have had problems with the mine and are taking measures to improve things," said Dan Baker, chief executive of Salt Lake City-based America West Resources Inc., the parent company of Hidden Splendor.

Five of the mines are in Kentucky, four in West Virginia, three in Virginia, and one in Utah. The agency also warned the dirt processing plant in California and a Nevada gold mine

Explosion kills 4 in north China mining company building

Extract from www.chinaview.cn

TAIYUAN, (Xinhua) -- Four people have been confirmed dead after a building was destroyed by an explosion at a mining company office building in north China's Shanxi Province, said the local production safety watchdog on Saturday.

The explosion occurred at 4:30 p.m. Friday in the office building of the Dongfang Zhenxing Coal Mining Co. Ltd. A deputy director of the company was among the dead.

An initial police investigation has ruled out arson. Police said the blast was caused by explosives stored in the mining company.

The city government of Yangquan, which administrates the mining area, has ordered a safety overhaul on detonation materials after the accident.

Seven missing in coal mine fire in SW China

Extract from Xinhua, China

GUIYANG, - Seven people are missing and four are injured after a gas fire in a coal mine in southwest China's Guizhou Province, a local official said Friday.

The methane fire occurred in a private illegal coal mine in Weining County at about 4 p.m. Thursday, said Wu Xuejun, the county head.

The injured were taken to hospital, where they were described as stable.

Rescuers were searching for the missing workers in the shaft.

Rampant illegal mining in the county, about 300 km from the provincial capital of Guiyang, has claimed the lives of many workers in recent years. Another gas fire killed 14 workers in a colliery on May 2, 2006, forcing the county head to resign.

Miner wins \$2 million in Massey verdict

Extract from Charleston Gazette, WV, USA

CHARLESTON, W.Va. -- A Boone County jury has awarded a coal miner more than \$2 million in his lawsuit against a Massey Energy operation over a January 2005 accident that left him disabled.

Stanley Stevenson II sued Massey's Independence Coal Inc. subsidiary after his arm was caught in a broken man-trip brake mechanism at the company's Justice No. 1 Mine at Robinson.

On Jan. 31, 2005, Stevenson was trying to fix the brakes when the brake system shifted, trapping his right wrist and arm. He never worked again.

Stevenson had complained about the condition of the man-trip to Massey mine managers, but the company did not provide adequate maintenance staff to fix the equipment, Stevenson alleged in his case.

After a trial earlier this week, a Boone County jury awarded Stevenson \$111,500 in medical expenses, \$77,600 for loss of household services, and \$1.8 million for lost earnings.

"We thank the jury for the time and effort they spent in deciding this case," said Madison lawyer Harry Hatfield, who represented Stevenson with Charleston attorney Mark Atkinson.

Two years ago, a fireboss at the mine, Rocky Burns, won a \$2 million jury verdict after

alleging that he was fired for reporting safety problems, including unsafe mantrips. Massey appealed the verdict in Burns' favor, but the state Supreme Court declined to hear the case. Burns was also represented by Hatfield and Atkinson.

Massey officials did not respond to requests for comment on Stevenson's case.

Court settles lawsuit over 1997 death of Fort Knox worker

Extract from newsminer.com

FAIRBANKS — Edward Irby disappeared on April 13, 1997, after the bulldozer he was driving rolled backward down a steep slope and broke through the ice into a pond full of mine tailings.

No one saw the accident at the Fort Knox gold mine, and Irby's body was never found.

In 2003, Irby was declared legally dead but when his family applied for death benefits, Fairbanks Gold Mining, Inc., owned by the Canadian firm Kinross Gold Corp., refused to pay.

The company has held that Irby, a retired U.S. Army command sergeant major, faked his death.

Almost 12 years after the bulldozer went into the pond, the Alaska Supreme Court ruled Friday that Fairbanks Gold Mining should pay the Irby family death benefits worth hundreds of thousands of dollars.

Carrie Irby, Edward's widow, who now lives in Columbus, Ga., said she is "elated."

"This has been going on so long," she said.

Court records and records from the Alaska Workers' Compensation Board show that Edward Irby began working for the gold mine in 1996, almost a year after retiring from the Army. He was a truck driver but the following April he began training to drive a D10N Caterpillar bulldozer.

On his third day of training, Irby's trainer was driving another bulldozer about 300 feet to the south when Irby's bulldozer slid down a steep 152-foot embankment.

The bulldozer broke through the frozen surface of a pond and plunged underwater. Irby was never seen again.

Alaska State Trooper divers were underwater within hours. They found the bulldozer upright with its blade raised, the door of the cab latched open and the rear window pushed into the cab. Rocks were strewn over the seats, the floor of the cab and on the tracks of the bulldozer.

In murky 35-degree water, the divers searched the bottom of the pond from the water's edge to the bulldozer. They found no body. The divers returned three times in the months that followed.

"They found the water extremely murky and had to inspect the bottom by feeling," stated a 2006 report by the worker's compensation board. "Some areas of the bottom were so muddy that they could not reach a solid substrate, and at times it seemed to at least one diver that he could not tell if he was swimming above the mud or through it."

Carrie Irby petitioned to have her husband declared dead, but a Fairbanks jury in October of 1997 ruled the evidence was insufficient.

Six years later, Edward Irby's son and namesake filed a second petition in Fairbanks court, asking to have his father declared dead. This time, a former co-worker testified that there is no explanation for why Irby's body could not be found. He said there was no indication that the accident had been staged and described Irby as mature, level-headed and trustworthy.

The jury found unanimously that Irby had died as a result of a heavy equipment accident at Fort Knox gold mine.

The Irby family filed for death benefits, but Fairbanks Gold Mining balked, arguing that Irby could not have been in the bulldozer when it

sank. The company maintains that Irby could have escaped the scene of the accident undetected.

The workers' compensation board was unconvinced and ordered the company to pay death benefits.

Fairbanks Gold Mining appealed the case to Fairbanks Superior Court, which reversed the compensation board's decision on the basis that the Irby family failed to file a timely claim.

The Alaska Supreme Court, in its decision, overturned the Superior Court so that the compensation board ruling stands.

The state's highest court pointed out that Carrie Irby had made several overtures over the years to claim death benefits by calling the gold mine, the workers' compensation board and the state court in Fairbanks. At times, Irby was given conflicting information about how to proceed.

The Supreme Court ruled that Fairbanks Gold Mining should have known that Carrie Irby was not giving up her claim for death benefits.

Chancy Croft, the Anchorage lawyer representing the Irby family, said rumors have persisted that Irby is alive but the gold mine failed to show proof.

One rumor was that Irby was being held in a jail somewhere in the south. Another rumor had it that a former wife of Irby's had seen him.

"They never did produce any evidence that he was alive," Croft said.

Multiple attempts to contact a spokeswoman for Fairbanks Gold Mining and the company's lawyer were unsuccessful.

Another mine worker's death on BHP's conscience, safety record shot

BHP Billiton has been heavily criticised for its poor safety record after another worker was killed on one of its mining sites on 19 March 2009.

The 45-year-old BHP contractor died in hospital yesterday from injuries sustained at the company's operations in the Pilbara town of Newman.

Nine workers have died on the miner's sites in the past five years.

The Minister for Mines, Norman Moore says the deaths are unacceptable and he has arranged to meet the President of the BHP's Iron Ore Division, Ian Ashby, to discuss the issue. The Opposition's spokesman for Mines, Jon Ford, says the company should be reprimanded.

Mining dictionary

A guide to common mining terminology

P

puddlers Circular holes 15-20m across in which dirt and water were mixed, and /
puddling machine the contents thoroughly mixed and broken up by rakes attached to a long pole pivoted in the centre of the circle and pulled around by a horse walking around the outside of the puddler. This broke up intractable alluvium and clay, and allowed the heavy minerals to separate and fall to the bottom of the puddler, where it was cleaned up at intervals and final separation carried out by other means, such as panning and tomming. Puddlers used on gem fields were usually smaller (as little as 1.7m dia.) and driven by machines.



Puddling machine at Sovereign Hill, Ballarat, VIC. Circa 1880s.

- Ed.