

# Mine safety cuts hindered West Virginia rescue

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Just as families in several West Virginia mining communities began burying the 12 miners killed in last Monday's explosion at the Sago Mine, evidence is mounting that many of the men might have been saved if rescue efforts had not been delayed due to a shortage of manpower and the lack of the modern rescue equipment. Years of budget cuts at the Mine Safety and Health Administration (MSHA) have severely undermined the capacity of rescuers to promptly reach trapped miners, although a matter of minutes may mean the difference between life and death.

A detailed note left by 61-year-old miner Jim Bennett shows that he was alive at least 10 hours after the explosion. Bennett's daughter, Ann Merideth, told the Associated Press her father left a note with several entries, starting at 11:40 a.m. on Monday and the last one at 4:25 that afternoon. The first rescue crew did not enter the mine until more than 11 hours after the explosion, and the first air hole to reach the area the miners were believed to be in was punched not through for nearly 24 hours.

"I'm not sure how many miners [were] able to live as long as my father had, which I'm sure most of them did, and it really bothers me because it took them so long," Bennett's daughter told the AP.

There is no mine rescue team at the Sago mine, nor did the company have the type of breathing equipment on site that would be needed to reenter the mine after an explosion consumed most of the available oxygen. Several miners who escaped after the blast attempted to rescue their fellow miners but were turned back by the smoke and poisonous carbon monoxide.

The closest federal rescue team is in Morgantown, about 70 miles away, and according to a *New York Times* article, they "might have been slowed by holiday vacations" and "had lost members to attrition" due to budget cuts. This delayed the rescue effort by several hours. Federal regulations do not require that mines have rescue teams provided that they can get a nearby rescue team on site within two hours.

According to the *Times*, one of the first rescue teams to arrive was from the Consul Energy mine near Fairmont, about 50 miles away. Jeff Bienkoski, a 54-year-old member of that team, told the *Times* "he got the call at about 10 a.m."—three

and a half hours after the explosion. By the time he gathered up his equipment and traveled to the Sago Mine, it was 12:30 p.m.—six hours after the explosion.

Several other teams arrived, but all were prevented from entering the mine by company officials who said it was unsafe to enter. As a result, the first rescue teams did not enter the mine until around 6 p.m., almost 12 hours after the explosion took place.

Cut off from any communication, the trapped miners were unaware they may have been just 1,500 feet from a pocket of breathable air. Instead, apparently concerned that the route ahead was blocked by fire or fallen debris, they did what they were trained to do, walk towards the coal face (some two miles from the mine entrance) to locate a spot with the cleanest air. Once there the men constructed a makeshift "ventilation curtain" to await rescue. The dead men were found huddled together in the shelter, some 42 hours after the explosion.

The Sago miners were equipped with a self-rescuer air-purifying system that is good for only one hour if carbon monoxide levels are less than 100 parts per million. Initial measurements found levels of 1,300 parts per million in the mine 11 hours after the blast.

A 1995 federal study on the state of mine rescue teams points out they are woefully inadequate. Yet, none of its recommendations for improvements were implemented, either by the Clinton administration or subsequent Bush administration. J. Davitt McAteer, a former assistant secretary of mine safety and health under Clinton, told a CBS news correspondent the equipment for the rescue teams in the United States is 30 to 40 years old, and the communication systems are 25 to 35 years old.

"The time it took to get the teams in place, the time it took to get the equipment there, the time it took to activate it raises some questions about whether our rescue system is sufficient in this country today," McAteer said. "Time is the enemy in mine rescues," said McAteer, now a vice president of Wheeling Jesuit University in West Virginia. "Always is. You know that from the start."

Funerals for the dead miners began Sunday and are scheduled to take place through Tuesday. Flowers and cards of sympathy sent by people from around the country and beyond cover the

caskets and adorn the funeral homes where the services are being held.

The only miner found alive, 26-year-old Randal McCloy, remains in a coma but is showing signs of improvement after undergoing intensive treatments. Most of his major body systems, including his heart, lungs, kidneys and liver, which were all severely damaged by carbon monoxide poisoning, have stabilized and are improving. Tests conducted on his brain show signs that at least his brain stem is responding to stimulation. Doctors are not yet sure how his higher cognitive functions, such as memory, emotion, sight and speech, have been affected.

Examinations of the 208 safety citations issued against the mine last year reveal that the company had a pattern of repeatedly violating the most elementary safety precautions and continuously placing the miners' lives at risk. Joe McGowan, a friend of George Hamner Jr., one of the miners killed in Sago, told the *Christian Science Monitor* that Hamner often spoke of the dangers in Sago. "He said it's nothing but a walking time bomb. He told me, 'They're going to kill us all.'"

Of the 208 safety citations issued by MSHA, 96 were categorized as "serious and substantial," the highest level of MSHA violation. This was on top of 144 violations found by state safety inspectors. Federal inspectors found problems with roof support, power wire insulation, inadequate ventilation plans, repeated buildup of coal dust and lack of adequate escape plans.

In the last year alone, there were 19 dangerous roof-falls. The rate of 19 roof-falls in one year amounts to a section of the roof collapsing once every two to three weeks. The largest one happened in November of 2005, and another took place last December. Experts say this rate indicated that there was a fundamental problem in the structure of the mine.

There were 18 occasions when MSHA ordered sections of the mine closed or equipment shut down until unsafe conditions were corrected. The mine was found to be in "unwarrantable failure" on 16 occasions, meaning the violation of safety rules was so obvious that the mine owners "knew or should have known." In a five-day period last month, the company was cited three times for allowing combustible coal dust to collect in a work area. These were among the 17 citations issued last year for that problem.

This was a sharp increase from 2004 when inspectors issued 68 safety citations, of which fewer than 25 were "serious and substantial." Nevertheless, MSHA officials never ordered the mine to completely shut down, and despite the fact that fines could go as high as \$60,000, the highest fine levied against Sago was only \$440, with most being the minimum of \$60. The Sago mine was fined a total of \$24,374 last year or an average of less than \$120 per violation, less than a speeding ticket and something management considers the cost of doing business.

According to the *Washington Post*, "Government regulators never publicly discussed shutting down the mine and never

sought criminal sanctions. The biggest single fine was \$440, about 0.0004 percent of the \$110 million net profit reported last year by the mine's current owner, International Coal Group Inc."

The lack of enforcement by MSHA officials could only encourage the operators to continue ignoring safety concerns. Under the Bush administration, the top echelons of the safety agency have been stacked with former mine bosses who are mandated to establish "partnerships" with the coal companies—i.e., in no way come in conflict with their drive to get coal out as quickly and cheaply as possible.

During the past five years, the number of mines referred to the Justice Department for criminal prosecution has dropped steadily, from 38 in 2000 to 12 last year. Inspectors who sought to impose large fines on coal companies have seen those penalties whittled down by agency negotiators and administrative law judges, according to the *Washington Post*. Last year, the operator of a Brookwood, Alabama, coal mine, where 13 miners were killed in a September 2001 explosion, saw its fine reduced from \$435,000 to \$3,000—a 99 percent reduction. The Alabama disaster was the nation's deadliest coal-mining accident in the past two decades, nearly equaled by Monday's Sago explosion that left 12 miners dead.

"There are simply not enough incentives for safety built into the regulatory and compensation system," said Emily A. Spieler, an occupational safety expert and dean of Northeastern University's School of Law. "Pressure on regulatory agencies to allow unsafe businesses to operate is enormous, and the incentives to comply with regulations are small if the regulatory agency does not issue large fines."

Hurricane Katrina exposed the impact of years of budget cuts on the country's infrastructure and official indifference for the lives of workers and the poor in New Orleans. In a similar fashion, the Sago mine disaster—and the lack of adequate resources to protect miners' lives—reveals how every aspect of life in America is subordinated to drive for profit.



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