

The Sago Mine disaster

Safety reports document deadly conditions at West Virginia mine

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Newly released reports from state and federal safety inspections of the Sago Mine prior to the January 2 explosion that killed twelve West Virginia coal miners detail a rash of potentially deadly safety violations and a pattern of negligence, if not criminal disregard, by company officials.

In several cases inspectors reported that mine foremen performing mandatory safety checks before each shift ignored “obvious” hazards, including the buildup of explosive coal dust, the presence of dangerous electrical equipment and unstable roof conditions. Managers then entered reports in the logs concealing these hazards, leading one inspector to charge a foreman with “aggravated conduct by his failure to record and take action on a known hazard.”

On December 14, a little more than two weeks before the disaster, an inspector from the federal Mine Safety and Health Administration (MSHA) found coal six to eight inches deep in piles along mine walls and roadways, as well as an accumulation of highly explosive coal dust on the mine roof and wall. In his report, the inspector noted: “The operator has shown a high degree of negligence for the health and safety of the miners that work at this coal mine by allowing the conditions to exist.”

The *Pittsburgh Post-Gazette* reported that West Virginia state inspectors, in particular, noted repeated roof collapses and injuries in a section of the non-union mine that was subsequently closed and sealed by the company. It is now believed that this is the area where the January 2 explosion occurred, trapping the twelve miners.

On July 22 of last year, inspectors pointed to the potential dangers in this area, saying that Anker West Virginia Mining, which at that time owned the Sago Mine, demonstrated “higher than normal neglect” by allowing coal pillars in this area to be cut to a dangerously thin width of ten feet. The inspectors reported that “miners will be exposed to the danger done for several years to come.” Inspector John Collins wrote that it was impossible to measure for methane in this area because of such hazards.

On August 16, a federal inspector noted the presence of loose-hanging rocks up to four inches thick in the area, looking “as if

they will fall without warning.”

State mining officials said the operator closed the section, at the time known as the Second Left Mains, on December 11 and began cutting a new Second Left area to avoid frequent roof collapses and injuries. Prior to the explosion, in 2004-2005, the area—about two miles from the entrance of the mine—was the site of 31 roof collapses and several accidents.

Management was required to issue written reports on all injuries and roof falls, but its reports were at best cursory. For example, the report on an August 10 accident in which Ralph Mitchell, a continuous mining machine operator, was struck by a rock from the roof simply stated a “rock struck Mr. Mitchell on the right side of the head, middle and lower back, and right foot. This rock had slick surfaces.”

According to the *Post Gazette*, the safety inspector described Mitchell’s injuries as serious, noting that the miner had been taken by helicopter to a Morgantown hospital. In his report, he checked off the box that suggested the severity of the injury was “permanently disabling.”

One theory gaining strength is that a roof collapse—and the sparks caused by tons of falling rock—ignited methane gas that had built up in the closed section. Other theories include the possibility that a lightning strike hit this area or an adjacent natural gas well.

The company was responsible for assuring that the area no longer being mined was free of explosive gases and sealed so that an explosion there would not endanger miners in areas still being worked. Evidence suggests that neither precaution was taken in a serious manner.

Rather than using concrete blocks or poured concrete, the company installed a 40-inch-thick seal made of Omega Blocks—a lightweight material comparable to dense plastic foam. The blocks were coated with a sealant. This material is known to be unreliable for containing the pressure of an explosion and prone to being blown out.

When rescuers reached that part of the mine after the January 2 explosion, the *New York Times* reported, they found the seals had been destroyed, apparently having been blown outward. This indicated that the blast came from a closed-off area behind

the seals. This is the area where rescuers recovered the body of 48-year-old Terry Helms, the fire boss who was apparently killed by the initial blast.

It is likely that the concussion of this blast, rather than being contained in the sealed-off area, knocked out the ventilation and communication systems and spread debris, smoke and poisonous carbon monoxide in the area where the twelve miners were working.

Details of hazardous conditions at the Sago Mine confirm reports that the miners themselves felt each day at work might be their last. Ted Tenney, 53, who worked briefly at the Sago Mine about three years ago, described it as a “hellhole.”

A retired miner who worked for 33 years in both union and non-union mines, Tenney told the *Pittsburgh Tribune-Review* that he wasn’t surprised by the disaster that claimed the lives of men with whom he had worked. “When I worked there, it was a hellhole. On my first day there, it took me 20 minutes to know that I screwed up by taking that job. It was suicide to walk in that pit mouth. It was dangerous, and I knew that mine was not going to make it.”

Tenney said anyone who spoke out against the unsafe conditions could be fired and banned from working at any nearby mine. “They can’t hurt me,” he said, but those working at the mine could not speak out. “These people will be fired and they will be blackballed from any mine around. They need the money and the work.”

In a news conference Wednesday, Ben Hatfield, the chief executive of the International Coal Group (ICG), the current owner of the mine, said the company had improved safety conditions since taking over the mine’s operations last November. “In my opinion,” he said, “the Sago Mine was a safe operation.”

Efforts by ICG management to blame the unsafe conditions on the mine’s former owner, Anker West Virginia Mining Company, have been undermined by reports that ICG’s billionaire owner Wilbur Ross established a controlling interest over Anker at least as early as 2001.

Referring to the new reports, Tony Oppegard, a former top official with MSHA, said, “I would say these are indicative of an operator who wasn’t going to let safety get in the way of production.” Oppegard, at one time a prosecutor of mine safety violations in Kentucky, said the repeated failure to conduct proper mine examinations showed that Sago officials should have been prosecuted on felony charges.

Congress, he said, had singled out the falsification of reports, such as pre-shift logs, as the only violation that could be prosecuted as a felony crime. “I can’t emphasize how important pre-shift examinations are. It is a key provision put in the [Mine] Act to protect miners’ safety.”

At the very least, Oppegard said, MSHA should have moved to shut down the Sago Mine for having a pattern of pre-examination violations.

During a conference call with reporters, Ray McKinney,

acting administrator for MSHA, said the mine’s violations did not constitute a pattern of misconduct that would have warranted closing the mine. The Bush administration official insisted that a pattern of violations “takes much longer than just a few weeks or a few months to establish.”

Oppegard called the MSHA official’s statements “ridiculous,” adding, “The law doesn’t say it has to go on for years.”

Evidence is growing not only of the possible criminality of the Sago Mine’s corporate owners, but also the federal and state authorities who allowed this mine and many more like it to continue operations. Years of budget cuts and kowtowing to the profit interests of the coal companies by Democratic as well as Republican administrations have severely undermined any government oversight of the industry. Likewise, the ability to effectively respond to disasters has been curtailed, with rescue operations hamstrung by antiquated equipment and a lack of manpower. All of these factors combined to condemn to death the twelve West Virginia miners, who evidently survived for some ten hours before succumbing to poisonous carbon monoxide gas.

The Bush administration and Democratic Party politicians such as West Virginia Governor Joe Manchin are complicit in this tragedy. That is why no confidence can be placed in any investigation conducted by the two parties of big business.

Predictably, the bureaucracy of the United Mine Workers of America (UMWA) issued a ringing endorsement of the investigations and hearings announced by the Senate Appropriations Committee and Governor Manchin.

Praising Robert Byrd (Democrat of West Virginia), Arlen Specter (Republican of Pennsylvania) and Tom Harkin (Democrat of Iowa), all members of the Senate committee, for their “long term-commitment to coal miners and their health and safety,” UMWA President Cecil Roberts declared, “I have confidence that with them taking the lead, we will get answers and we will begin the process of working toward real, enforceable solutions.”

Nothing could be further from the truth.



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