West Virginia mine tragedy: Families denounce company, state officials

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In the hours after it became clear that 12 of the 13 coal miners trapped in a West Virginia mine had perished, family, friends and co-workers expressed outrage over the earlier reports by company officials and state authorities that all but one of the men had been saved.

The sense that they had been cruelly deceived only compounded the grief and anger of those who lost loved ones in a facility known by miners and their families to be dangerously out of compliance with safety regulations.

Company officials, Governor Joe Manchin and the news media scrambled on Wednesday to explain why false claims of a "miracle" rescue at the Sago Mine had been made public without any confirmation late Tuesday night, and why relatives were then kept in the dark for hours after company and state officials had learned that all but one of the trapped miners were dead.

Even after the body of one of the trapped miners was recovered Tuesday evening, the mining community held out hope that the remaining twelve would somehow be brought safely back to the surface. There was overwhelming joy when the initial report came that the men had, in fact, been found still alive by a rescue team. One survivor, 27-year-old Randal McCloy, was brought out of the mine and whisked away by ambulance to a hospital, where he was listed in critical condition.

But the exultation turned to horror, shock and pain when, hours later, the expectant family members and friends were told the shattering truth.

In the aftermath, in one of the rare occasions when the real sentiments of working class people are acknowledged, the media took note of the widespread anger in the mining community over the treacherous conditions miners endure and the general indifference they confront from the coal companies and the politicians who pander to the mine owners' interests.

The latest chapter in the Sago Mine tragedy began just before midnight Tuesday, when company officials and the federal and state authorities overseeing the rescue operation reportedly received a message from the rescuers deep within the mine that 12 miners, apparently alive, had been found.

International Coal Group's president and chief executive Ben Hatfield is said by relatives to have passed this report on to them and even detailed how the men were being brought out of the mine. Without even seeking official confirmation from the company or safety officials of the supposed rescue, CNN and the other television news outlets broadcast the false report around the world.

Some West Virginia officials were giving out information that turned out to be without any foundation. Tom Hunter, Governor Manchin's press secretary, said it wasn't clear whether the miners would be well enough physically to go to the Sago Baptist Church, where family members, co-workers and friends were maintaining their vigil, after the men had been brought out of the mine.

The miners had by then been trapped deep below the ground for 42 hours, following an explosion early Monday that occurred as the first shift was entering the mine following the New Year holiday break. By Monday afternoon mine officials had determined that the blast had generated deadly levels of carbon monoxide gas in the underground shafts.

At 12:34 a.m. on Wednesday, a convoy of nine ambulances, a police cruiser, two mine rescue vehicles and several firefighters in their personal vehicles turned into the road leading up to the mine. Hunter said each miner was being assessed medically as he came out of the mine. One ambulance left the site at 1:10 a.m., transporting McCloy to St. Joseph's Hospital in Buckhannon.

Some 45 minutes after the initial positive reports, officials in the rescue command center learned that there were, in fact, no other survivors. Yet company and state officials did nothing for two-and-a-half hours to quash the false rumors.

At a press conference Wednesday afternoon, Hatfield, accompanied by his attorney, said the second report reached the command center at approximately 12:30 a.m., clarifying the situation and confirming that only one miner was alive. After discussing the matter with the governor's office, company officials decided not to pass on the new information to the families. Hatfield acknowledged that he and others had allowed "the jubilation to go on longer than it should have."

Just before 3 a.m. Wednesday morning, Hatfield entered the church and made a brief statement to the families that the report of multiple survivors was "misinformation." At least one outraged family member lunged at Hatfield, who had to be removed from the church under police protection. A company press conference was then held and the tragic truth revealed.

Harvey Ables, the brother-in-law of one of the dead miners, said, "They straight out lied with millions of people watching. We were waiting for good news and we got it. But it was nothing but lies."

"We were stunned and sickened to the stomach," another relative said. "We'd been lied to all along." Another woman who lost her father, Jim Bennett, denounced the "injustice" and demanded action against company officials.

One relative described the situation at the Sago Baptist Church: "At one moment we were praising God. Then there was cursing when company official told us the news. It hit people's hearts so hard, they cursed. The preacher tried to calm us down by saying we had to look to God. That's when someone said, 'What in the hell has God done for us?'"

Later Wednesday morning the bodies of all twelve miners were removed from the Sago Mine. One of the dead miners—Terry Helms, 48, the fire boss at the mine—had been found nearest to the mine entrance and was apparently killed by the initial blast.

Eleven others were found huddled near the coal face in the deepest part of the mine. They evidently retreated there because the mine entrance was blocked by debris and smoke. In an effort to protect themselves from the carbon monoxide fumes, the miners constructed a makeshift barricade from plastic fibrous material. Among the dead were Martin Toler, 51; David Lewis, 28; Marshal Winans, 49; Jerry Lee Groves, 57; George Hamner, Jr., 54; Jack Weaver, 53; Alva Martin Bennett, 50; and Fred

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Ware, 59.

In the same area rescuers found the one surviving miner, Randal McCloy. As of Wednesday evening, McCloy was sedated and in stable condition in a Morgantown hospital, suffering from a collapsed lung, dehydration, hypothermia and kidney difficulties. Doctors said initial tests showed no signs of brain damage. They expect McCloy to recover.

The incompetence and negligence of the company and state officials in their handling of the rescue operation and its aftermath are consistent with their general disregard for the lives of coal miners. Several of the miners denounced state and federal authorities for allowing the Sago Mine to continue its operations even though it had been repeatedly cited for serious safety violations.

John Bennett, whose father was killed, said, "A lot us can't understand that in 2005 the mine was cited more than 200 times. My dad would come home at night and tell me how unsafe it was. He told me the mine had numerous roof falls."

Bennett confronted Governor Minchin over the state's lax safety enforcement during an interview on NBC's "Today Show" Wednesday morning. He said, "With all these roof falls and everything that has happened over the multiple months—not weeks, months—that this has happened..." Manchin began to reply, but Bennett cut him off: "... and they still send men in there?"

The governor replied that mining is an inherently dangerous operation and mentioned that his own family had suffered a mining death when his uncle was killed in the 1968 Farmington, West Virginia disaster, in which 78 miners were lost.

Bennett replied that miners were frightened to speak out against the unsafe conditions for fear of losing their jobs, especially at non-union mines like Sago.

Another relative of a dead miner told CNN: "They better close it down. It's unsafe and unfit. Twelve miners just lost their lives. Would you go in there?"

Anna McCloy, the wife of the only survivor, told Fox News, "He has mentioned mine safety before. He didn't tell me everything because he didn't want me to worry. We had discussed about him getting out."

Safety inspectors had cited the Sago Mine for hundreds of violations, including more than 200 in 2005 alone. In that one year, the mine was forced to halt operations 16 times after failing to comply with safety rules. The violations included failure to provide protection against the accumulation of explosive coal dust and methane gas, and failure to implement adequate emergency escape plans.

According to a report in Wednesday's *New York Times*, "The most serious of these citations are 16 'unwarrantable failure orders,' which are problems that an operator knows exist but fails to correct. Thirteen of these orders were issued in the past six months, federal records show."

The *Times* article continued: "'Under the Bush administration, the citing of unwarrantable failures has gone down dramatically,' said Tony Oppegard, a top federal mine official in the Clinton administration and a former prosecutor of mine-safety violations in Kentucky. 'So to see a rash of unwarrantable failures under this administration is a telling sign of a mine with serious safety problems.'"

On Wednesday, President Bush took a few seconds to make perfunctory remarks about the Sago Mine disaster, saying the nation's "prayers were with those whose hearts are broken." In fact, the Bush administration has overseen the systematic gutting of the federal Mine Safety and Health Administration (MSHA) and fostered a general deterioration of safety conditions in the mines.

Bush has appointed several mine bosses to top positions in MSHA to make sure the regulatory agency does not impede the industry's drive for profit. David Lauriski, the Bush administration's first head of MSHA, set out, in his own words, to "change the culture" at the agency so as to make it more sympathetic to business concerns.

Those responsible for enforcing MSHA safety standards would no longer be termed "inspectors." Instead they would be called "safety and health compliance specialists." The expression favored by Bush administration officials, "compliance assistance," involved "a collaborative approach" between industry representatives and regulatory staff.

In other words, the mine operators would be given free rein to boost profits by playing fast and loose with safety regulations—and the lives and limbs of the miners.

A spokesman for MSHA said it was "hard to say" whether the Sago Mine's record was unusual. The agency, which used to publish the results of its accident investigations, no longer does so.

Stripped of funds and manpower and under a mandate to establish "partnerships" with the coal companies, MSHA's powers to enforce safety regulations have become negligible. In the last major coal disaster—the 2001 death of 13 miners at the Jim Walters Resources mine in Alabama—MSHA ultimately imposed a fine of $3,000 on the company, or $231 per dead miner.

Promises from Bush and other administration officials for a federal investigation into the Sago Mine disaster are entirely cynical. No less cynical are the calls for a congressional hearing into mine safety by Democratic politicians such as Edward Kennedy. In the recent period, the assault on miners' conditions began in earnest with the strikebreaking efforts of Democratic President Jimmy Carter, who issued a Taft-Hartley back-to-work order during the 1977-78 national miners' strike—an order which the miners defied.

The Clinton administration continued the policy of preceding administrations, Democratic and Republican, of deregulating business. For most of the past quarter century, moreover, the Democrats have controlled the state government in West Virginia. Democratic governors aided and abetted the coal bosses in the wave of violent union-busting at A.T. Massey, Pittston and other companies, and have overseen the systematic dismantling of state safety and environmental regulations.

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