

# Families of coal miners killed in Kentucky disaster protest exclusion from hearing

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More than a dozen family members of the five miners who died in a May 20 explosion at a Harlan County, Kentucky coal mine picketed outside a closed-door hearing Wednesday where federal and state investigators were questioning dozens of executives from Kentucky Darby LLC, as well as mine employees, about the circumstances that led to the tragedy. The families had been barred from attending the hearing and asking any questions because authorities said the state wanted witnesses to be as comfortable and forthcoming as possible, according to Kentucky Natural Resources Commissioner Susan Bush.

The widows and other relatives stood outside the building where the interviews were conducted, wearing black ribbons commemorating the fallen miners and holding signs that read, “Company reps in, family reps out, WHY!?” and “Governor, what’s there to hide?”

“If they’ve not got anything to hide, why don’t they let us in to listen?” said Tilda Thomas, whose husband, Paris Thomas Jr., was among those killed. “It’s just suspicious. You’re afraid of a cover-up,” said George William Petra, another miner’s widow. Melissa Lee, whose husband Jimmy Lee was also killed, denounced the claims about the relatives intimidating the mine bosses and others, telling the *Louisville Courier-Journal*, “Stressful for them? How about us? I’ve got four kids. I have no pity for their witnesses.”

Jimmy Lee, 33; Priscilla Petra, 49; Roy Middleton, 35; Paris Thomas Jr., 53; and Amon Brock, 51, were killed May 20 when an underground blast ripped through the Darby No.1 Mine. The explosion instantly killed Lee and Brock, while three others died from methane poisoning as air supplies ran out.

A six miner on the overnight maintenance crew—Paul Ledford—survived the disaster. He told reporters through his brother that the breathing devices supplied to miners did not work. Rescuers found Ledford nearly 2,000 feet

into the mine and close to death himself.

This is not the first time miners have reported that their emergency breathing equipment failed to work after such an explosion. Randal McCloy Jr., the sole survivor of the January 2 disaster at the Sago Mine that killed 12 West Virginia miners, reported that four of their units also failed. At Sago, one miner was killed by the initial blast and 11 died from carbon monoxide poisoning.

The Kentucky hearing lasted three days from May 31 to June 2, during which time federal Mine Safety and Health Administration (MSHA) investigators along with state inspectors questioned mine employees and managers. State officials had subpoenaed two dozen witnesses. While mine officials were permitted to have attorneys present during their testimony state authorities ruled that family members or their representatives could not participate or even attend the hearings.

Two miners’ families had asked to be represented by Tony Oppegard, a former state and federal mining official. Two other families asked to be represented by a former United Mine Workers union safety official Kenny Johnson.

In well publicized statements shortly after the disaster, Kentucky Governor Ernie Fletcher told families they would be part of the investigation, but Brett Hall, a spokesman for the governor backed the decision to bar the families, saying “we understand the emotion and hard feelings these people have. That is understandable. But they should have faith this method works to their benefit.”

Family members have every reason to be suspicious that any investigation conducted by federal and state officials into the deaths of their loved ones will end up with a whitewash. After all, MSHA and the Kentucky mine safety agency is complicit in allowing the coal bosses to continue to operate mines such as Darby No. 1—despite a long history of safety violations—because these state agencies have no intention of interfering with the profits

of the coal industry and the prerogatives of the mine owners.

MSHA officials continue to approve the use of questionable breathing devices—that at best provide one hour of clean air—that were used at both the Darby and the Sago mines and in the majority of US mines. These devices were approved more than 25 years ago, and even at that time they were below the standard being employed in many countries throughout the world. Moreover, MSHA does nothing to force operators to provide regular training in the use of the devices.

MSHA also approved the use of the poorly constructed Omega Blocks used by companies to seal off mined out sections of pits, prevent the leakage of methane gas, and protect workers in production areas from possible explosions. The blocks are made of a concrete and fiber mix that is much lighter than the standard concrete block. Despite years of complaints about the blocks—which coal operators prefer because it is cheaper to quicker to install—federal officials have only now suspended their use; initial investigations have suggested that the explosions at Sago and Darby were fueled by methane that leaked from unused areas of the mines.

MSHA and state officials are responsible for inspecting the installation and maintenance of the seals. According to the Associated Press, workers who three months ago helped construct the seals have said they didn't receive any training on how to make them and that the lightweight fiberglass blocks broke easily or were already cracked. Tony Bledsoe, a mine technician at Darby, helped build one of the seals that was damaged by the blast. "That's the first seal I've ever been to build," he said Thursday. "I've doubted them before, but they're MSHA approved," said Bledsoe.

Coal mining deaths and accidents are sharply rising in the US, along with the growing coal prices and profits. Since the explosion at the Darby Mine, 2 more miners have been killed in separate accidents one in West Virginia and the other in Kentucky. This brings to 33 the number of coal miners killed so far this year. In all of last year 22 miners were killed. 19 miners have been killed in West Virginia and 11 in Kentucky.

Coal operators are pushing harder to get as much coal out of the ground as possible. With the war in Iraq and the huge increase in the cost of oil, the price of coal has also shot up. Appalachian coal is now selling for nearly twice as much as what it was selling for just three years ago.

Last fall, Massey Energy's chief executive officer, Don Blankenship sent a memo to employees stating that

greater production was the company's number one goal. "If any of you have been asked by your group presidents, your supervisors, engineers, or anyone else to do anything other than run coal . . . you need to ignore them and run coal. This memo is necessary only because we seem not to understand that the coal pays the bills," Blankenship wrote according to a report by the Associated Press.

The push for more coal has also meant a vast amount of overtime and some new hiring. Coal companies are putting on more shifts and working miners longer at existing mines. Mines that in the past were considered mined out are being reopened as their harder-to-get coal is once again profitable.

In Kentucky, coal miners are working an average of 49.5 hours a week, meaning some miners are working the normal 40 hours while others are working 60 hours. Over the past two years, 2,000 more miners have been hired in Kentucky and 3,000 in West Virginia. While some of these have been older laid-off miners, the majority have been younger workers brought into the mines with little or no training.

Wages, benefits and working conditions for miners have drastically deteriorated as a result of the betrayals of the United Miner Workers of America (UMWA) union over the past three decades, which has collaborated with the industry and, in particular the Democratic Party, to boost the profits of the coal bosses. The isolation and betrayals of strike after strike, from AT Massey to Pittston, has opened the way for a massive increase in non-union production in former UMWA strongholds such as southern West Virginia and eastern Kentucky—long known as bastions of militant struggle by coal miners. The economic desperation throughout Appalachia has forced miners both young and old to enter non-union mines like Darby and Sago, where they are pressured into working under unsafe conditions for fear of losing their jobs and livelihoods.



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