

Another five US coal mine deaths in October

## Bush appoints mine safety head during Senate recess

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The Bush administration's use of a recess appointment to push through its nomination of Richard Stickler to head the Mine Safety and Health Administration underscores the administration's policy of stacking MSHA with former mine officials at the expense of the safety of miners. Stickler's appointment during a Senate recess in late October demonstrates as well the administration's contempt for democratic rights and procedures.

Richard Stickler was first nominated by the Bush administration in September 2005 to head MSHA following the resignation of former MSHA head David Lauriski. Before becoming head of MSHA in 2001, Lauriski was an executive at Energy West Mining. He was forced to resign after being charged with taking kickbacks on contracts awarded by MSHA.

During his tenure, Lauriski packed MSHA with former coal mining executives and lobbyists. He cut MSHA inspectors and drastically reduced fines imposed on coal operators. One of his first actions upon taking office was to withdraw 16 proposed regulation changes affecting mine safety and to postpone implementation of two other regulations.

Speaking before the Northwest Mining Association's annual meeting in December 2001, shortly after withdrawing many of these proposals, David Lauriski explained to the coal operators, "Earlier this week, the Department of Labor announced its new regulatory agenda for the coming year. If you have seen it, you will notice that it is quite a bit shorter than some past agendas."

To date, 43 coal miners have been killed this year in mining accidents, including 12 miners at the Sago Mine in West Virginia and 5 miners at the Darby Mine in Kentucky. Many of these tragedies can be directly attributable to the policies enacted by Lauriski and approved by the Bush administration. The nomination and appointment of Richard Stickler makes clear that despite this year of mining disasters, the Bush administration is making no change in course.

Richard Stickler has 37 years in the coal industry, the overwhelming majority as an industry executive for various mine operators in West Virginia and Pennsylvania. Safety records kept by MSHA show that while Stickler was in charge of the Bethenergy Marianna Mine in western Pennsylvania the

injury rate climbed substantially and while he ran Eagle's Nest Mine in Van, West Virginia, the injury rate was more than twice the national average.

Earlier this year, following the Sago and other mine tragedies, Stickler stated during testimony before Congress that he felt MSHA regulations were "adequate." As an advocate for continuing the Bush policy of relying upon the mine operators to police themselves, Stickler described the situation in mining as a "compliance problem" rather than "an enforcement problem."

Despite Stickler's record, in all likelihood the Stickler nomination would have breezed through the Senate with the same ease as that of his predecessor Lauriski. However, the tragic developments at Sago and elsewhere led to a certain amount of posturing by politicians in their concern for miners' safety.

Twice Senate Majority Leader Bill Frist was forced to cancel a vote on Stickler's confirmation due to a lack of Senate support and to take the unprecedented action of returning Stickler's nomination to the White House. Rather than produce a different candidate, Bush appointed Stickler to the job on October 19 while the Senate was in recess. The appointment is expected to last until the end of the next session of Congress, or about a year.

The human toll in the mines continues to rise. During the same month that President Bush appointed Stickler to head MSHA, another five coal miners have been killed in five separate coal mining accidents. October's death toll brings to 43 the number of US coal miners killed so far this year. This is the highest number of coal miners killed since 1995, when 47 miners lost their lives.

On October 6, Joe Seay, 56, a roof bolter with 23 years experience, was crushed to death when a 6-foot by 3-foot section of the roof fell on him at the D&R No. 2 Mine in Kentucky.

On October 11, a 7-foot by 3-foot section of roof collapsed on Jerry McKinney, 56, at the Jim Walter Resources No. 7 Mine near Brookwood, Alabama, crushing and killing him. McKinney, a ventilation supervisor with 23 years mining

experience, including 20 at this mine, was killed while inspecting an unused section of the mine the company planned to bring back into production.

On October 20, Thomas L. Channell, Jr., 49, was killed when a section of a wall the size of a vending machine fell, crushing him against a shuttle car at the Whitetail Kittanning Mine in West Virginia. Channell, a continuous mine operator, had worked 25 years in the mine including six years at Kittanning.

On October 23, Dale Reightler, 43, was killed in an underground explosion half a mile deep in the R&D Coal Company mine in eastern Pennsylvania. Reightler had been a miner since leaving high school. He was married and had three children.

On October 30, a miner at the Double Bonus Coal Company in West Virginia was killed in a power haulage accident. The name of the miner and details of the incident have not yet been released.

In West Virginia, 23 coal miners have been killed so far this year, including 12 miners who died in the Sago Mine disaster following a methane explosion January 2, and 2 at the Aracoma Alma Mine when a beltway caught fire January 19. In 2005, 3 miners died in West Virginia and 12 were killed the year before.

In Kentucky, 15 miners have been killed this year, including five miners who died from an explosion at the Darby Mine on May 20. Last year eight miners were killed and six miners were killed the year before.

In 15 of the 19 deaths at the Sago, Alma and Darby mine disasters, miners survived the initial explosion but died because they lacked adequate air supplies and slowly suffocated from carbon monoxide poisoning.

Of the other 24 miners who were killed in separate accidents, most of the men were crushed to death by falling rocks or hit by machinery.

While mining deaths had been widely reported following the Sago disaster in January, this latest string of deaths has gone largely unreported outside of a few items in the local news.

The recess appointment of Stickler is a clear indication that the Bush administration will continue its policy of representing the interests of the coal and energy conglomerates at the expense of the miners, their families and their communities.

As for the Democratic Party, it too offers no alternative. The three most outspoken critics of the Bush administration on mine safety in general and of Stickler's appointment in particular have been Senator Edward Kennedy of Massachusetts and Senators Jay Rockefeller and Robert Byrd of West Virginia. All three promised tough new laws that would protect miners in the future.

The final bill on mine safety passed by Congress in June amounts to only token changes, such as requiring that coal miners be provided with two hours of breathable air rather than the current one hour. Other requirements compelling companies to provide miners with communication equipment and

increasing fines are now stuck in hearings and are quietly being lobbied against by the coal industry.

For its part, the United Mine Workers of America and the AFL-CIO have shown that they too will not defend miners' safety. The UMWA has yet to even issue a statement on its web site on the Stickler appointment; instead, about 70 union officials staged a protest outside MSHA offices in West Virginia to demand a meeting with the new new agency head.

The AFL-CIO issued a statement by President John Sweeney calling on people to elect more Democrats to the House and Senate this November. More Democrats in Congress, however, will not get in the way of coal production and the profits of the coal operators. With high prices for oil and natural gas, demand for coal is at record levels.

According to figures published on the Department of Labor's web site, coal production reached an all-time high in 2005 of more than 1,133 million tons. Production is expected to go even higher this year despite the nearly three decades of mine closures and mass layoffs.

During the past three years, the rise in coal prices has seen a growing demand for coal and there has been some rehiring in the coalfields. Nearly 100 coal mines have reopened or new ones dug, while the number of coal miners has grown by about 12,000.

This is nowhere near the over 900 mines closed since 1995 and the more than 100,000 coal miners who have lost their jobs since 1978. This record productivity, with about 10 percent of the peak workforce, is testimony to the unsafe conditions that have been created by speedup, reduction of manpower and gutting of safety regulations. This push to keep up with growing energy demand by paying fewer workers substandard wages is costing miners their lives. Nevertheless, for those miners able to get back to work it has meant their only chance to support themselves and their families.

Most of the reopened mines and the hiring of laid-off and new miners since 2003 has largely been at smaller mines. As at Sago and in several other cases, workers who had been laid off for a long time, or were new to the industry, are more reluctant to raise or press safety concerns out of fear of losing their jobs or having the mine re-closed.



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