Safety improvements stall since Sago disaster

New year begins with more coal miners' deaths in US

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Coal miners in the United States continue to die at an accelerated pace more than a year after the Sago Mine disaster and the repeated promises of industry executives and state and federal officials that safety would improve.

In the first month of 2007, three coal miners were killed. On January 6, Jeremy Garcia, a 26-year-old miner and father of two small children, was killed at the Elk Creek Mine in Somerset, Colorado, while trying to move a large bundle of metal roofing screen. The young miner, who began work at the mine three months earlier, was crushed between the wire mesh and the scoop of the loader he was using.

On January 13, two miners—James Thomas, 48, and Pete Poindexter, 33—were killed when a section of roof they were working under collapsed on them at the Cucumber mine in West Virginia. Both men had been working at the mine less than a year.

Very little has changed for the safety of miners in US coalfields since the explosion ripped through the Sago mine on January 2, 2006, killing 12 West Virginia miners.

In all, 47 coal miners were killed in 2006, more than twice the number as in 2005 and the largest death toll in the US since 1995. In West Virginia alone, 23 miners were killed last year, the highest number since 1981. In neighboring Kentucky, 16 miners died in accidents. Two miners were killed in Alabama and one each in Arizona, Maryland, Montana, Pennsylvania, Utah and Virginia.

The causes of death included roof collapses, fires, explosions, electrocution and accidents involving machinery or hauling equipment. These include eight deaths involving the huge trucks used to haul and move coal. In some cases, mine owners illegally increased the height of the loads in order to increase the volume of coal being moved. This resulted in blocking the view of the operator and endangering his life and that of his co-workers.

The increase in coal mine fatalities has been the direct result of the push for greater productivity by the coal operators, who are cashing in on rising coal prices and profits along with the virtual elimination of safety regulations and enforcement by the Bush administration and Democratic governors in coal states such as West Virginia.

The ongoing killing of American coal miners could largely be halted if proven safety standards, long used in other countries such as Australia, Canada and Germany, were implemented in US coal mines.

Despite much publicity and the proclamations of Democratic and Republican politicians at the federal, state and local levels, nothing of a fundamental character has changed since the Sago disaster in regard to the safety of miners.

None of the glaring deficiencies revealed in the Sago and other disasters have been seriously addressed: the lack of adequate emergency air supplies; budget cuts that have reduced the number of rescue teams and their training and equipment; the installation of well-equipped underground safety chambers; establishing reliable two-way communication between miners underground and those on the surface.

Above all, the practice of the Bush administration of placing former coal bosses and industry officials in charge of safety regulation at the Mine Safety and Health Administration (MSHA) has continued. Last October, Bush used a recess appointment to bypass congressional approval to push through his appointment of new MSHA director Richard Stickler, a former official at Bethenergy who oversaw the operation of mines in West Virginia and Pennsylvania with above-average injury rates. 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."

In June, Congress passed the Mine Improvement and New

Emergency Response Act of 2006, known as the MINER Act. This bill and a similar law passed in West Virginia have done little to protect miners. The major provision of the new law is to require that mine operators provide miners with two hours of breathable air in emergencies instead of the current standard of one hour. At the Sago mine, 11 of the 12 miners killed survived the initial explosion but died after their breathing devices know as Self Contained Self Rescuers or SCSRs ran out of oxygen while they waited for rescue teams to arrive.

Government inspectors are only requiring that coal companies produce purchase orders showing they have ordered the equipment, not proof that they have been placed in their mines. Furthermore, the law does not address the high failure rate of the SCSRs currently used in most US mines. The sole survivor of the Sago disaster, Randal McCloy, told family members that four of the SCSRs didn't work and that he and other miners had to share theirs. Congress is allowing the continued use of the type of SCSR that failed at Sago and in other testing. They are the least expensive on the market.

Congress did not require that companies install underground rescue chambers or refuge stations. Over the past year, such shelters are credited with saving the lives of 72 miners in Canada, yet Congress has called for yet another study of their feasibility. Congress also did not reinstate rules that required rescue teams to be on site at each mine, instead giving the MSHA until the end of this year to write new regulations requiring additional mine rescue teams.

At Sago, the first rescue team did not arrive until more than four hours after the explosion, and it was poorly equipped and trained. The Sago mine also lacked the equipment needed to detect the location of the trapped men or a gas gauge to correctly read and interpret the levels of poisonous and explosive gases coming out of the mine.

The MINER Act also simply establishes a committee to "study" so-called underground belt air issues. This involves the controversial practice of using the passageway where conveyor belts remove coal from a mine also as a fresh air intake. Safety experts have opposed this dual use of beltways on two grounds. First, pushing high-velocity air through such a pathway can cause the spread of flames from not uncommon belt fires or push toxic fumes from the fire directly to the face of the mine, where most of the miners are working. The second objection is that such a dual-use pathway eliminates the obligation of the coal company to create a second pathway explicitly for oxygen intake that would also be an additional path of escape for miners in event of a disaster.

In 2004, the Bush administration rewrote MSHA regulations to more broadly allow mine operators to use the beltway as an air intake pathway. Prior to this, coal companies wanting to use "belt air" had to get a special waiver from the MSHA granting them an exception. The A.T. Massey mine in West Virginia where two miners were killed last year due to a belt fire was granted such an exception by the Democratic Clinton administration.

The newly elected Democratic majority in Congress is promising another round of hearings on mine safety. "In the new Congress, we will conduct thorough oversight on the state of worker safety in America's coal and non-coal mines," said Rep. George Miller, a California Democrat who will chair the House Education and the Workforce Committee. But little can be expected to come of this. For eight years under the Clinton administration, many of these same measures were studied but never enacted. This only underscores the fact that neither big business party will take any serious action that infringes on the profits of the coal operators.

The unsafe conditions that prevail throughout the industry also highlight the treachery and bankruptcy of the United Mine Workers (UMWA) union, which has systematically sabotaged every struggle of the miners since the 1980s in pursuit of its policy of labor-management cooperation and support for the Democratic Party. This resulted in the loss of tens of thousands of jobs, the elimination of the UMWA in its former Appalachian coalfield strongholds and a brutal increase in the exploitation of mine workers.

The price of coal—which powers more than half of the nation's electricity—is at record levels. Coal production in 2005 grew to more than 1 billion tons, and the figures for 2006 are expected to be much higher. The increase in the number of miners, however, has not kept pace with the sharp increase in production. Lower-paid, younger miners who receive little or no training are replacing laid-off skilled miners and are being forced to dig ever-greater amounts of coal. Lower wages, deregulation and high prices have combined to make the coal industry a very lucrative business for all sorts of speculators—including those such as Sago Mine owner and billionaire financier Wilbur Ross—who are scrambling to open up hundreds of small and abandoned mines and employ ever-riskier methods to retrieve hard-to-reach, but extremely valuable, coal.