

US congressional probe charges

## Utah mine officials lied to federal agency before Crandall Canyon disaster

Samuel Davidson  
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US Congressional investigators are calling for a criminal probe of the general manager and other senior staff at the Crandall Canyon Mine in Utah where nine miners were killed last August. The request to the US Attorney General follows allegations that management lied and hid information from federal mine safety officials that could have prevented the disaster.

According to the Congressional investigation, whose results were made available last week, company officials failed to properly inform the Mine Safety and Health Administration (MSHA) of a previous roof collapse in March of 2007, and downplayed the damage caused by that collapse when they applied for permission to continue extracting coal from another section of the mine.

In a letter sent to the US Attorney General from Congressman George Miller of California, Chairman of the Committee on Education and Labor, which is conducting the investigation, Miller charged that company officials “willfully concealed or covered a material fact or made materially false representation,” to MSHA.

However, Miller—a top congressional Democrat—makes no charges against the mine’s owner Robert Murray, who has close connections to the Bush administration. Nor are there any allegations against MSHA itself, which has been stacked with former mine officials and other pro-company types by the White House, and whose actions in the Crandall Canyon disaster at a minimum criminally negligent.

On August 6, a pillar or series of pillars burst apart causing a cave-in of the mine so powerful that it registered 3.9 on the Richter scale. Six coal miners whose bodies have never been recovered were killed. It

is not known if the six men were killed outright by the collapse or died from injuries or starvation. Ten days later, three more miners who were working to reach the six trapped men were killed when a 1,500 foot section of tunnel they were working in collapsed.

The death of the nine miners was completely avoidable.

At the time of the disaster, Genwal Resources Inc, the company that was operating the mine, was conducting a very dangerous practice known as retreat mining. This method involves removing the massive coal pillars that support the mine’s roof and allowing the collapse of sections of the mine as workers move backwards towards the entrance.

The company was mining an area known as the Main West section of the mine. That section of the mine had been mined until 2001, when it was considered mined out using traditional mining methods. With the price of coal soaring, companies have found it very profitable to try to extract every last bit of coal they can.

The Main West section of the mine had two sets of coal pillars that ran the length of the area on either side and provided the main support for the roof called the North and South barriers. In addition to mining these pillars, the report said, the company also skimmed coal off the floor—a practice that weakened the pillars and made them more likely to burst apart.

The company began retreat mining of the North barrier until a collapse in that section of the mine on March 10, 2007 forced them to stop. Just over two months later, on May 16, 2007, the company applied to MSHA officials to mine the pillars out of the South barrier. MSHA approved the request the following month, less than 10 weeks before the disaster.

Congressional investigators are charging that Genwal General Manager Laine Adair and other mining officials lied to MSHA officials about the extent of the March 2007 collapse. Allyn Davis, the MSHA supervisor for District 9, which covers Crandall Canyon Mine, told investigators that Adair downplayed the damage caused by that roof collapse. “The photos that I saw and the description I got from Laine Adair don’t match.”

Prior to the disaster, miners, including one of the six men killed from the initial collapse, told family members of the danger of working in the mine. They reported that sections of the mine floor had been “heaving” or buckling up from the intense pressure placed upon it. They had reported that mine management knew about the problem, but continued operations anyway.

Miller’s letter and the report make no mention of why Davis took Adair’s word for the extent of the damage, and why MSHA didn’t conduct its own onsite investigation to determine the damage caused by the March 10 collapse before approving mining of the South Barrier. Last month, the Department of Labor’s own internal investigating wing was much more critical of MSHA, calling the federal agency’s handling of the Crandall Canyon mine “negligent.”

Miller’s report actually upholds as legitimate the practice of retreat mining, although it proposes a few added precautions.

The report makes no mention of the close relations between Robert Murray, the Bush administration and officials at the Department of Labor, which oversees MSHA. Murray and Murray Energy were both big contributors to Bush’s presidential campaigns, and the mine owner often boasted when dealing with MSHA inspectors that he was friends with the husband of their boss—Secretary of Labor Elaine Chao. Both Adair and Murray, along with several other company officials, refused to testify before the investigation on the grounds that they might incriminate themselves.

Immediately following the August 6, 2007 disaster, Murray traveled to Utah where he claimed an earthquake caused the mine to collapse even before an investigation began. This allegation was similar to that of the owners of the Sago mine in West Virginia, who claimed lightning had caused the underground explosion that killed 12 miners in January 2006.

Murray has a long history of operating dangerous mines. In March another mine owned by a different subsidiary of Murray Energy, the Tower mine, also in Utah, was forced to close after safety inspectors fined the mine \$420,000 for flagrant safety violations, including repeatedly allowing the buildup of explosive coal dust.

As in previous investigations and the state and federal mine safety hearings that followed Sago and other disasters, it is certain that the Democrats and Republicans will not implement any measures that impede the profit interests of the mine owners. This can only mean that the lives and limbs of miners will continue to be sacrificed.



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