

25 dead, 4 missing, in West Virginia mine explosion

CEO flouted safety procedures

Samuel Davidson
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Twenty-five miners were killed Monday in an explosion in the shafts of a West Virginia mine. As of this writing, four miners remain trapped, their condition unknown.

The deadly blast took place in the town of Montcoal at the Upper Big Branch mine, which is operated by Performance Coal Co., a subsidiary of coal giant Massey.

Rescue operations were temporarily suspended late Monday night due to dangerous levels of methane and other poisonous gases. Holes are being sunk to pump out the explosive fumes in a bid to resume the search for the remaining four miners.

Monday's disaster at the Montcoal mines is the nation's worst since a fire in a Utah mine killed 27 in 1984.

The explosion took place around 3 pm Monday as a shift change was taking place. Seven of the killed miners were riding in a mantrip, a vehicle used to move workers in and out of the mine. Two of the miners on the mantrip survived. Officials have not said where the other miners' bodies were found.

No communications have been received from the four missing miners. However, family members, workers and friends are hoping that the four were able to access one of the steel safety containers that contain enough food, water and air for 96 hours. The safety containers were installed in the mines only after the 2006 Sago mine disaster where 12 miners were killed.

Less than 1 in 10 mines have installed working communications equipment that was also mandated after the Sago disaster.

Long history of safety violations at Massey Energy

Massey has a long history of flouting safety regulations that continues to this day. State and federal governments have been complicit in the endangerment of miners, ignoring company violations.

The massive underground explosion was caused by the dangerous buildup of methane gas and coal dust. The company has been repeatedly cited for both ventilation and coal dust control violations.

Just in the past two weeks, federal mine safety inspectors cited the mine for violations of safety code, specifically citing problems with mine ventilation. Ventilation is necessary to prevent the buildup of methane gas.

Federal records show that as much as 2 million cubic feet of methane gas enter the Upper Big Branch mine every 24 hours. Such an amount would become explosive very quickly if not properly ventilated, safety officials say.

Last year the mine was cited for 458 safety violations, 50 of which were listed as "unwarrantable failures to comply"—a designation of willful or gross negligence.

Since July of 2008, the mine has been cited for 614 safety violations, according to records of the federal Mine Safety and Health Administration (MSHA), including multiple citations for accumulation of coal dust, problems in the ventilation system, and not having proper escape route plans.

Only derisory fines have been applied for these violations. In January, Massey was fined \$150,000 by MSHA for violations at the Upper Big Branch mine, and last year the company was fined a total of \$382,000

for repeated violations at the mine.

Massey has among the worst safety records in the industry. In 2006, two miners were killed in a mine fire in the Aracoma Alma mine in Kentucky. It was discovered that mine officials had ignored rules requiring they put in place protective walls to separate escape routes from coal conveyor belts. After a long court process, the company was fined \$2.5 million for 10 counts of criminal wrongdoing.

Massey considers these fines just part of the cost of doing business. Fines are routinely reduced in hearings and delayed for years.

Violations are “a normal part of the mining process,” Massey Chairman and CEO Don Blankenship said in an interview soon after the tragedy took place. “There are violations at every coal mine in America.”

These fines are indeed a tiny fraction of Blankenship’s personal compensation, which amounted to nearly \$24 million in 2007.

Blankenship is closely connected to both Democratic and Republican politicians in all the states where Massey does business, but in West Virginia his political influence is immense, and out in the open.

The State Supreme Court is, practically speaking, on the Massey payroll. In 2004, Blankenship spent \$3 million of his own money to elect a pro-business friend to West Virginia’s high court. In 2006, he vacationed with another Supreme Court judge on the French Riviera.

These connections served Massey well when the West Virginia Supreme Court reversed a 2003 lower court order requiring the company pay \$50 million to a rival coal firm.

In addition to safety violations, Massey has shown a complete disregard for the environment and has been subject to massive fines for violations of the Clean Water Act.

Massey, based out of Richmond, Virginia, is one of the country’s top five coal producers. According to its web site, it controls more than 2.2 billion tons of coal reserves in southern West Virginia, eastern Kentucky, southwest Virginia, and Tennessee.

It is also among the most profitable coal producers in the country. After a long period of slump, the last decade has seen a massive increase in the demand for coal, along with rising prices. Mines once considered unprofitable have been reopened, and desperate miners

in depressed communities have been willing to take jobs they know are unsafe.

In the 1980s and early 1990s, Massey played a leading role in the assault on the gains union miners had won over a century of struggle, in 1984-85 hiring strikebreakers to root out the United Mine Workers of America (UMWA) from its mines. This effort depended on the complicity of the union bureaucracy and its president, Richard Trumka—now president of the AFL-CIO—who isolated the Massey miners to ensure their defeat.

As for the Obama administration, it has continued the same policies of appeasing the coal operators as during the Bush years—with one significant difference. While Bush appointed company officials to the top positions within MSHA, the Obama administration has appointed former union officials. The end result is the same, however.

In October of last year, Obama appointed Joe Main, the former head of safety for the UMWA, as head of MSHA. One of Main’s first acts was to change the wording of a regulation that would have required a 50 percent reduction in coal dust levels. In so doing, Main eviscerated a measure whose aim was to save thousands of coal miners’ lives from black lung disease.

Under Main’s watch, MSHA has continued the practice of allowing mines to operate despite hundreds of safety violations and repeated warnings of catastrophe waiting to happen—as evidenced by its lack of enforcement at Massey’s Upper Big Branch mine.



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