

“That place was a ticking time bomb”

Miners and families denounce Massey and government inspectors for West Virginia mine disaster

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Fellow coal miners and family members of the 29 miners killed in the April 5 West Virginia explosion at Massey Energy’s Upper Big Branch mine described the deadly conditions in the mine during the months leading up to the blast during testimony Tuesday before a hearing of the US House of Representatives Committee on Education and Labor.

Damning evidence of criminal negligence was presented, which demonstrated that Massey Energy executives—including CEO Don Blankenship—should be jailed for sacrificing the lives of the miners for their profit. Testimony also detailed the complicity of officials from the federal Mine Safety and Health Administration (MSHA), which permitted the mine to continue operating despite ample warnings of an impending disaster.

Despite the compelling evidence none of the assembled congressmen called for the arrest and prosecution of Massey executives. In fact, the remarks of committee chairman, Representative George Miller of California, and testimony by West Virginia Governor Joe Manchin—both Democrats—neglected to even mention Massey or its CEO Blankenship by name. Nor did they refer to the actions of MSHA.

Instead, like the two previous hearings organized by the US Senate, the House hearing was designed to let miners vent their anger while whitewashing the actions of company and government officials. Thoroughly beholden to the interests of the coal bosses and energy monopolies, the politicians of both big business parties will do nothing to stop the murder and maiming of miners.

During their testimony miners described working in a virtual deathtrap where they faced victimization if they spoke out. Last July, Stanley Stewart, a miner at the UBB mine told his wife, “If anything happens to me, get a lawyer and sue the blankety blank out of them! That place is a ticking time bomb,” according to testimony he gave to the hearing.

Stewart, a 34-year veteran of the mines who worked the last 15 years at UBB, said he was sitting on a mantrip—a car that takes the miners in and out of the mine—about 300 feet from the entrance at the time of the blast. Even though he was miles away from the point of the explosion, he testified that the wind and debris had felt like “hurricane strength” and prevented him from seeing.

Stewart said his wife urged him to write the problems down. He described continuous ventilation problems, saying, “the area of the

mine we were working was liberating a lot of methane. Mine management never fully addressed the air problem when it would be shut down by inspectors. They would fix it just good enough to get us to load coal again, but then it would be back to business as usual.”

The Upper Big Branch mine received over 600 safety citations in 2009 and the first part of 2010, many for ventilation problems, including not having the needed air flow and not following their ventilation plan. In addition, many of the violations were for allowing the buildup of explosive coal dust.

The proper ventilation of a mine involves a complicated system of powerful fans to circulate air through the mine. Fresh air is pumped through an intake shaft to the mine face at sufficient volume and velocity, federal regulations stipulate, “to dilute, render harmless flammable, explosive, noxious, and harmful gases and dust, smoke, and fumes” released as the rock and coal is broken apart by massive coal-digging equipment, such as long-wall machines. A return-air shaft rids the mine of the contaminated air.

Ventilation control devices called stoppings—built with sturdy and fire resistant materials—and curtains are supposed to be installed throughout the mine to separate the intake and return airways so that flammable dust and gases are not circulated back into the mine. The mine ventilation plan must be approved by MSHA.

Stewart pointed to problems on the long wall machine where the miners were working at the time of the explosion. He testified there had been two fireballs—methane explosions—prior to the April 5 blast. “This leads me to believe the methane was indeed building in the area, showing lack of air and ventilation problems.”

One of the incidents documented by Stewart was when management, in direct violation of the federal regulations, instructed one crew to change the direction of the airflow while another crew was working at the face. “People working inby will have their air short-circuited by the change in ventilation.” (Inby is a mine engineering term, which means away from the shaft or mine entrance and therefore closer to the working face).

“I felt like I was working for the Gestapo at times”

If anyone complained about safety, Stewart went on, “we’d be marked men and the management would look for ways to fire us. Maybe not that day, or that week, but somewhere down the line, we’d disappear. We’d seen it happen and I told my wife, I felt like I was working for the Gestapo at times.”

Steve Morgan lost his 21-year-old son, Adam Morgan, in the disaster. Morgan testified the ventilation was always bad and that stoppings were regularly knocked out, noting one day when his son told him six stoppings were down in just one area. This “creates major ventilation concerns to have six stoppings in one area down; however, ventilation was so bad that they were constantly tearing down and reconstructing stoppings.”

Morgan said his son at times worked in water up to his waist, which also restricted the air flow. My son “would mention high levels of methane at least weekly.” Morgan also testified that his son spoke about the high levels of coal dust in the air. There “would be times it was so thick he couldn’t see.”

Problems in the ventilation system directed return air—which should have been exhausted out of the mine—to the mine face instead, “pulling all the dust towards his work area.”

The level of coal dust is particularly critical. Miners and experts believe an explosion of that tremendous magnitude was the result of an initial methane explosion that ignited a secondary blast of coal dust suspended in the air.

Morgan also testified that Massey management ignored his son’s warnings and threatened to fire him for bringing them up. “I told Adam,” Morgan said, “to tell his boss that this practice was unsafe and he didn’t want to do it and when Adam told his boss, the boss told him if he was that scared, he needed to rethink his career.”

Production before safety

The push by Massey for production over safety was further confirmed in the testimony of Alice Peters, the mother-in-law of Edward Dean Jones, 50, who was killed in the April 5 blast. Dean, as he was called, was a section foreman and was repeatedly threatened with being fired if he stopped production to fix safety problems. Dean and his wife have a son who suffers from cystic fibrosis and Dean needed his job to keep medical insurance for his son’s care.

“Dean told me many times he had concerns about the ventilation at the Upper Big Branch mine. He often told me and his wife that he was afraid to go to work because the conditions at the mine were so bad. He also told me, at least seven times, he was told by Massey supervisors that if he shut down production because of the ventilation problems (bad air), he would lose his job. They knew about his son and that Dean needed to keep his job to make sure his son could get the medical care he needed. On more than one occasion, I called the mine and told them there was an emergency regarding his son that he had to come home and handle in order to get him out of the mine, because I feared for his safety.

“My son-in-law was a very good miner and could have gotten a job anywhere—he had a college degree in mine engineering. However, because of the physical disability of his son and the absolute necessity of maintaining his health insurance benefits, Dean was unable to leave.”

“MSHA has let us down many times”

Gary Quarles, the father of Gary Wayne Quarles another miner killed in the blast and a coal miner for 34 years, testified about the role of MSHA inspectors at the mine.

“For a miner working for Massey, the feeling is, if an MSHA inspector fails to say anything about all of these safety problems, what right do I have to say anything about them, and I definitely would be terminated or retaliated against if I said anything.

“MSHA inspections at Massey did little to protect miners. We absolutely looked to MSHA for leadership, particularly on safety issues, but MSHA has let us down many times.”

Quarles said whenever an MSHA inspector would come on site, management in violation of the law would contact the crews underground to direct the inspectors away from areas with violations and to quickly correct problems before the inspector saw them.

Quarles also blamed MSHA for only conducting inspections during the day shift, leaving the company to completely ignore safety on the evening, night and weekend shifts.

The testimony of the fellow miners and the families of the victims of the disaster were in sharp contrast to the statements of political officials at the hearing. California Representative Miller repeated his vague pledge to discover the cause of the explosion, hold those responsible accountable, and prevent another tragedy. Miller made similar promises following the disasters at Sago, Aracoma Alma, and Darby in 2006 and the Crandall Canyon disaster in 2007.

West Virginia Governor Manchin also made empty promises. Neither Miller nor Manchin addressed the fact that MSHA was holding closed-door interviews with the witnesses of the disaster, meaning incriminating evidence will be concealed from family members and others, further ensuring that the hearing will be nothing but a whitewash of Massey’s crimes and the complicity of the Obama administration. Last week a federal judge threw out a lawsuit brought by family members to force MSHA to hold the interviews in public.



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