Kentucky coal miner killed

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The fourth US coal miner of the year was killed in eastern Kentucky on March 25. The accident occurred at 8 in the morning in the underground Matrix No. 1 mine, operated by Matrix Energy LLC, located along the Johnson-Martin County line.

The miner, 54-year-old Robert L. Cook of Inez, was pinned by the boom of a 3-ton continuous mining machine against the mine wall and crushed. Cook was pronounced dead at the scene from blunt force trauma to the chest.

Martin County Coroner Joe Mullins told local Mountain News channel 57 that Cook's son works in the same mine. "The family is very distraught, of course," Mullins said, "and can't understand why this would happen to their family member." The mine has been closed while state investigators review the site.

The mine employs about 170 workers and produces 1.75 million short tons of coal a year. In conjunction with other mines in Martin and Johnson Counties owned by coal operator James H. Booth, the complex produces some 7.5 million short tons, which is shipped primarily to Detroit Edison (DTE), Georgia Power and American Electric Power.

Booth Energy Group, which has annual sales worth $66,700,000, is fragmented into half a dozen limited liability companies. In each election cycle, records show, Booth donates thousands of dollars to local and state political candidates from both the Democratic and Republican parties. Along with his relatives, he is by far the most frequent and generous campaign contributor in Martin County. Booth is a member of the board of numerous bank and business boards, including the powerful lobbying group Coal Operators Associates. He is also on the executive committee of the Kentucky Chamber of Commerce. Such deep political influence by coal operators is the rule rather than the exception in the state.

Booth's mines have racked up thousands of violations in the past five years, a large portion of which have been contested. The process of contesting citations effectively allows operators to continue violations without financial penalty. The fact that Booth Energy concerns have not been assigned persistent violator status reflects the enormous loopholes in the federal and state oversight systems.

The federal Mine Safety and Health Administration (MSHA) issued 63 citations for safety violations at the Matrix No. 1 mine since the beginning of the year, including 17 "substantial and significant" violations. This is a designation reserved for safety breaches that pose imminent danger to miners; such citations require mines to immediately halt operations until the violations are fixed. So far, in the month of March, the mine has been cited for substantial and significant violations on levels of coal dust accumulated, ventilation inadequacies and insufficient mechanical equipment guards.

Since 2008, the mine has racked up 845 citations, with proposed penalties of $305,000. Booth Energy has paid out only half that amount and has tied the rest up with legal challenges.

The virtual disappearance of the United Mine Workers of America (UMWA) in eastern Kentucky—once a stronghold of the UMWA—has contributed to the proliferation of non-union mines like Matrix No. 1. Coal miners fought bitter strikes in the area during the 1980s, including against AT Massey—now Massey Energy—but these were betrayed by the UMWA and smashed.

The latest coal mining fatality comes as the US Senate prepares hearings to mark the anniversary of the Upper Big Branch mine disaster, which claimed the lives of 29 West Virginia miners on April 5, 2010. The hearings, largely window dressing on an investigation that has charged no Massey Energy executives, will focus on increased MSHA inspections and miner

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safety.

At the same time, the Obama administration and its state-level counterparts have sought to stifle basic regulatory agencies—including MSHA, the Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA)—through funding cuts and deregulation.

In Kentucky, Democratic Governor Steve Beshear has filed a lawsuit along with the Kentucky Coal Association against the EPA over the Clean Water Act. The regulations have prevented 11 large-scale mining operations from going forward because of the devastating impact they will have on groundwater, communities and wildlife in eastern Kentucky. A similar lawsuit was filed late last year by the former West Virginia governor, Democrat Joe Manchin, who is now a senator representing the state.

Environmental and economic policy in the Appalachian coalfields has long been dominated by the coal industry. In Martin County, one in six workers are employed in mining, logging or related fields. Because the pay for those in extraction and commodities transport industries is relatively better than service jobs, and because there are few other options for workers without higher education degrees in the region, many miners feel compelled to put up with hazardous workplace conditions and health risks.

Martin County is part of a belt of deeply distressed counties in the Appalachian Mountains. According to new figures from the Kentucky State Data Center, the county registered the highest poverty rate in the state, at 45 percent. One in five households subsist on less than $10,000 per year, and the per capita income stands at $12,500. Official unemployment is 13.6 percent; however, the most recent Census data classifies 61 percent of the working age population as “not in labor force.”

The county has sustained severe environmental degradation due to the negligence of coal operators. Most notably, in October 2000, a huge impoundment of coal sludge owned by Massey Energy burst into abandoned underground mine shafts. Some 306 billon gallons of slurry—a liquid by-product of coal preparation containing mercury, cadmium and many other toxins—polluted the water supply for 27,000 residents and killed all aquatic life in the county’s waterways. MSHA fined Massey only $5,600 for the disaster, and residents were never compensated.

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