

Sixth Kentucky coal miner killed

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Coal miner David J. Middleton, of Baxter, Kentucky, died November 14, from injuries he suffered in a mining accident nearly two weeks earlier. Middleton is the 21st US coal miner to be killed so far this year in on-the-job accidents. Another 13 metal miners have also been killed.

Middleton, 28, was working at the Mill Branch surface mine run by Nally & Hamilton Enterprises, in Harlan County. On November 2, he was critically injured when the bulldozer he was operating overturned and rolled 250 feet to the bottom of the slope. He was found unconscious by co-workers and taken to a nearby hospital, where he later died from his injuries. Middleton had been a bulldozer operator at the pit for five years.

Middleton is the sixth coal miner to be killed in Kentucky this year. In the last four days of October, four miners, two coal miners and two metal miners were killed in multiple accidents. Over the span of little more than a month, six miners in the Kentucky-West Virginia coalfields have been killed (see “Another Kentucky coal miner killed”).

Reflecting an indifference to the steady stream of accidents over the past two months, next to nothing was reported on the fatality in the press, and regulatory agencies have been quiet.

The Mine Safety and Health Administration’s (MSHA’s) preliminary report, made available only after a full two weeks had passed, gives a three-sentence description of the fatal accident: “While conducting reclamation work at the top of a graded slope, the operator appears to have lost control of the Caterpillar D6T dozer, overturned and rolled approximately 250 feet to the bottom of the slope. The

injured employee has been air lifted to the hospital. Kentucky OMSL and MSHA personnel are on site conducting an accident investigation.”

Although a relatively small independent operator, Nally & Hamilton Enterprises owns 14 surface mines and 3 processing plants in the Harlan County area. Like neighboring counties in southeastern Kentucky, Harlan has long been among the most economically distressed in the country. Poverty and lack of alternative job opportunities have compelled thousands of workers to enter treacherous pit mines where they face imminent risk of injury or death.

Surface mines, despite being presented by coal operators, politicians, and regulatory agencies as a safer alternative to underground operations, are replete with safety and health dangers and undermonitored for violations of workplace and environmental standards. Kentucky in particular has pushed for an expansion of surface mining in the eastern counties, with Democratic Governor Steve Beshear going so far as to join a lawsuit with the coal industry against the federal Environmental Protection Agency, which has sought to enforce the Clean Water Act on Appalachian surface mining sites.

In surface mining, operators clear off sometimes hundreds of feet of dirt and rock to reach the coal seam, leaving massive cliffs where none existed before. In this case, the cliff was 250 feet high. Middleton was working to level off the cliff, which involves pushing massive amounts of dirt and rock from the top down into the mine, when the bulldozer began to fall down the gorge.

Surface mining is a major earth-moving operation in Appalachia, with large equipment operated by a

handful of workers—Mill Branch was run by only 10 miners—who blast, extract, load and truck the coal at breakneck pace.

After extraction, the rock and coal are shipped to a processing plant where the coal is washed and sorted from the rock. The byproduct of this process is then piled in adjacent areas, often filling in streams, releasing heavy metals and other pollutants into the rivers and ground water.

Like numerous other operations in the region, Mill Branch mine has seen an increase in the number of serious injuries in the past two years. In 2006, according to MSHA records, there were no injury accidents; in 2007, 2008 and 2009 one miner was hurt on the job; in 2010, three. So far this year, five miners have been injured, many in accidents involving machinery slipping on the steep grade of the pit.

This pattern of increased injuries is seen in other mines owned by Nally & Hamilton Enterprises. In both 2008 and 2009, two miners suffered serious injuries. In 2010, that number grew to 13, and so far this year, 24 miners have suffered seriously injuries while on the job. Middleton was the first miner to be killed at the mine.

Over the same period, the number of citations issued by the MSHA have dropped, as the Obama administration has been encouraging the expansion of coal production throughout the United States as an alternative to imported fuel. Mine operators have used the drop in mine safety and environmental oversight to push ahead in production, with complete disregard for the health and safety of both the miners and those who live in the community.



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