

# Another West Virginia coal miner killed

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21 February 2013

On Tuesday night, 44-year-old John Myles of Hilltop, West Virginia was killed at the Pocahontas Coal Mine's underground Affinity Mine in Raleigh County. The fatal accident, the second in as many weeks at the Affinity Mine, points to systematic disregard for safety on the part of the company, as well as state and federal regulatory agencies.

Since the beginning of the year, six US coal miners have died, four of them in West Virginia.

Myles had four years' experience in mining, including 14 months working as a shuttle car operator in the Affinity mine. According to the West Virginia Office of Miners' Health, Safety and Training, Myles was run over by a scoop vehicle while shoveling coal ribs.

On February 7, Edward Finney, 43, of Bluefield, Virginia was killed in a similar accident. Finney was crushed under a scoop while pushing it onto a hoist used to transport workers to the surface. The hoist moved without warning.

A Pocahontas lawyer speaking on behalf of the company, told Associated Press that the company was "very concerned," but stated that the accidents appeared to be unrelated.

In fact, a pattern of recklessness is apparent from a look at the database of citations issued to the mine by the federal Mine Health and Safety Administration (MSHA). It is clear that the potential for fatal accidents is ever-present.

Since the current operator, Affinity Coal Company LLC, began managing the mine in 2011, 16 miners have been injured, including three in the past month. In a powered haulage accident January 31, the brake cable of a transport car snapped. The car rolled backward down the track, striking a miner who was standing nearby, breaking his legs.

In the past 12 months, MSHA issued 68 significant and substantial (S&S) citations to the mine because of

"a reasonable likelihood the hazard contributed to will result in an injury or illness of a reasonably serious nature." Last year, Affinity was cited for illegally tipping off underground mine personnel that safety inspectors were approaching.

Since January, Affinity has been cited for 66 safety violations. Nevertheless, MSHA has leveled no financial penalties against the mine so far this year. Last year, MSHA issued penalties of nearly \$126,000, but the company has paid only \$16,359.

Affinity Coal is a limited liability company formed by energy giant United Coal Company in 2010. United Coal, which holds some 165 million tons of coal in Appalachia, was acquired by Ukraine-based mining and steel holding firm Metinvest.

Metinvest, in turn, is a subsidiary of System Capital Management, a massive umbrella financial and industrial holding company owned by the Ukraine's richest man, Rinat Akhmetov. As of 2011, SCM controlled assets of more than \$28.4 billion.

Akhmetov is currently listed as the 26th richest man in the world with an estimated net worth of between \$16 and \$21 billion. The oligarch, like many of his type in Eastern Europe, made his fortune by snapping up formerly nationalized infrastructure and industry after the fall of the USSR.

Akhmetov's interests have naturally expanded into other crisis-ridden countries around the world, including the economically distressed minefields of the US where land titles are cheap, politicians are bought and sold, and environmental regulations are easily skirted.

Since the onset of the economic crisis in 2008, the US coal industry has been roiled with mergers and acquisitions, particularly in Appalachia. As a result, many of the seemingly small mine operators across the region function as little more than storefronts for some of the largest financial investors in the world. Held to

the production demands of these firms, miners in West Virginia face conditions not unlike workers in mines in Eastern Europe, South America or Asia.

West Virginia Governor Earl Ray Tomblin announced a statewide “mine safety stand-down” Wednesday afternoon. The stand-down consists of nothing more than a one-hour halt in production to review safety protocols.

“This is not a shutdown of mining operations,” Tomblin stressed. “We are working statewide with mining industry officials to ensure we are taking all necessary precautions.”

“We’ve done everything we possibly can to make sure our mines are as safe as possible,” the governor declared. The stand-down would likely occur at shift change, between 3 and 4 p.m. at most of the more than 700 underground and surface mines across the state, assuring that lost production will be minimal.

The order makes clear that the political establishment will do nothing to hold coal firms responsible for the hazardous conditions in which miners work. Instead, the miners will be blamed for accidents, and coal operators will be left to regulate themselves.

Tomblin’s announcement follows the script laid down by the previous governor, Joe Manchin, in the wake of the 2006 Sago Mine disaster when 12 miners were killed. Over the course of that year, eleven other West Virginia miners died on the job, and the state continues to lead the country in mining deaths. In the past ten years, 127 West Virginia coal miners have been killed.

Eugene White, director of the state Office of Miners’ Health, Safety and Training, told the press, “We’re just trying to figure it all out... We’re going to take a good, hard look at everything.”

Chris Hamilton of the West Virginia Coal Association took to the podium to close the governor’s press conference. Stating that the coal industry was “seeking to be part of the solution here,” Hamilton praised the Tomblin administration and its regulatory agency as “excellent in communicating with the industry.”

The *Charleston Gazette* noted that the death of John Myles came just hours after state House of Delegates members concluded a hearing into mine safety problems that the Tomblin administration has effectively ignored.

In June, the administration enacted stricter standards on methane monitoring, coal dust controls and higher fines for violations, although the new rules find no reflection in the agency’s accident rates. Since that time, 9 West Virginia miners have been killed.



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