

# Coal miner killed at mine owned by West Virginia governor

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A 43-year-old West Virginia coal miner was killed last month after he slipped and fell while repairing a plate press. Jason Kenneth Matthews of Bluefield, West Virginia had 13 years in the mines and worked as a plant attendant at a coal preparation plant in McDowell County.

According to a preliminary report issued by the U.S. Mine Safety and Health Administration (MSHA), Matthews was “fatally injured when he fell through a 27-inch opening of a plate press” he was repairing on February 27, plunging more than 18 feet before landing on a moving refuse belt. “The victim was found in a transfer chute approximately 55 feet down the belt from where he fell.”

Matthews leaves behind a wife and two children, according to an obituary posted on the Dudley Memorial Mortuary web site.

The Bishop Preparation Plant and associated surface mine are operated by Chestnut Land Holdings, LLC and are owned by West Virginia Governor Jim Justice’s Southern Coal Corp. The billionaire Democrat is the state’s richest man with holdings in coal, agriculture, and tourism throughout the state.

In addition to MSHA’s investigation of the accident, a state-level investigation is being conducted by the West Virginia Office of Miners’ Health, Safety and Training (OMHS&T), which ultimately answers to the West Virginia governor through his appointed commerce secretary, Woody Thrasher.

Justice took control of the Bishop surface mine in 2011 and ramped up production to more than 350,000 tons before shuttering the mine sometime in 2016, according to MSHA records. On November 4, on the eve of the election, it was one of four mines Justice announced—to great fanfare—that he would be reopening.

Matthews is the third coal miner killed this year in the US and the second in West Virginia. His death comes on the heels of 54-year-old coal truck driver Franklin L. Vannoy at Coronado Coal’s Elk Lick Tipple in Logan County, West Virginia, in early February. Vannoy jumped from a dump truck he was operating as it overturned on him; he died from

his injuries seven days later at CMAC General Hospital in Charleston.

In late January, 42-year-old Kentucky coal miner Ray Hatfield, Jr was killed after becoming entangled in a moving belt near which he was shoveling at R&C Coal LLC’s Mine No. 2 near Pikeville, Kentucky.

All three fatalities occurred at small operations, historically the most dangerous and exploitative. Vannoy was a contractor and one of just 13 employees at the Elk Lick Tipple while Hatfield was one of nine miners employed by R&C.

Matthews was one of only five workers employed at the Bishop Preparation Plant and one of only three miners working at the time of the accident, which left him working alone near dangerous operating equipment. It is unclear if Matthews died from the fall itself or how long he lay in the coal bin before being found.

As the *World Socialist Web Site* wrote following Justice’s inauguration, “The election of Justice has many parallels with the victory of Republican Donald Trump in the presidential election. As in the national election, the super-rich are seizing control of the machinery of government in West Virginia directly, while seeking to divert the growing anger of workers toward the political establishment in an extremely right-wing direction.”

Like Trump, Justice ran as a businessman and political outsider promising to bring back coal jobs decimated over recent years by the global economic crisis. However, the plans of both Trump and Justice to revive the coal industry consist of gutting occupational health and safety standards and eliminating environmental regulations.

In his inaugural address, Justice claimed to be “friends with the Trump family” and pledged after receiving a congratulatory phone call from Trump, “I will work closely with the President-elect and his administration on clean coal technology, rolling back job-killing [U.S. Environmental Protection Agency] regulations on coal, and growing West Virginia’s other job opportunities.”

Such a program has nothing to do with protecting coal-

mining jobs, raising living standards, or addressing the deep poverty and growing social crisis throughout Appalachia. Rather it portends a vast escalation of the assault on the coal miners and the working class of the region. To the extent that the coal industry experiences any revival under such policies, it will be based upon the super-exploitation of coal miners and the reopening of small and dangerous mines.

For its part, the Republican-controlled state legislature has introduced legislation which would eliminate the mandated four quarterly state inspections of all coal mines and replace them with one compliance assistance visit; eliminate the ability of OMHS&T to issue citations and fines for health and safety violations and replace them with “compliance assistance visit notices”; and consolidate existing state mine safety boards.

Although the Bishop mine is a nonunion operation, Matthews’ death also exposes the United Mine Workers of America (UMWA) which campaigned hard for the coal baron Justice. In one union campaign video, UMWA President Cecil Roberts tells viewers, “Jim is one of the good coal operators. He pays a good wage and his safety record is excellent.”

In reality, Justice has a long record of ignoring health and safety standards and environmental regulations at his mining operations. According to a National Public Radio (NPR) investigative report last October, Justice’s “mining companies owe \$15 million in six states, including property and minerals taxes, state coal severance and withholding taxes, and federal income, excise and unemployment taxes, as well as mine safety penalties, according to county, state and federal records.”

Moreover, NPR found that these delinquent Justice-owned operations have “worse-than-average safety records” with injury rates that are “twice the national average and violation rates more than four times the national rate.”

In December, Justice’s Southern Coal finalized a \$5.9 million settlement with the EPA over more than 23,000 outstanding violations of the federal Clean Water Act (CWA) at its mining operations between 2009 and 2014 in West Virginia, Virginia, Tennessee, Kentucky, and Alabama. The settlement included a penalty of only \$900,000 with the remaining \$5 million consisting of company upgrades to pollution discharge controls.

As the *Charleston Gazette-Mail* noted at the time, while CWA violations can bring civil penalties of up to \$37,500 per day of violation, “The \$900,000 penalty being paid by Justice’s companies amounts to an average of less than \$40 per violation, not taking into account the potential for some violations to stretch for more than one day.”

After endorsing Barack Obama in 2008, the UMWA chose not to endorse any presidential candidate in either 2012 or

2016. As the 2008 economic crisis eventually caught up with the coal industry beginning in 2012, the union turned on the Obama administration, shifting politically to the right and promoting the narrative that the administration was waging a “war on coal” through its limited environmental regulations.

As scores of coal mines were shuttered, thousands of miners laid off, and dozens of coal companies used the bankruptcy courts to shred wages, pensions, health care, and working conditions, the union proved unwilling to mobilize its membership for any serious struggle.

In its nationalist and corporatist outlook, the union preoccupied itself with directing the anger of coal miners away from any challenge to the capitalist profit system whose crisis lay at the root of the assault on them. It has focused its energy over recent years on organizing anti-EPA rallies and joining hands with the most reactionary sections of the ruling class in seeking to roll back environmental regulations on the coal industry in a utopian effort to return it to profitability and competitiveness on the global market.

As the union proudly proclaims on its web site, “The UMWA has led the fight against a series of regulations coming from Washington that threaten jobs in the coal industry and other industries that depend on coal ... The UMWA was a participant in the lawsuit against the EPA’s Clean Power Plan that resulted in a stay of that plan, and is one of only three unions that has filed a suit against the New Source Performance Standards rule, which if allowed to stand will have the effect of outlawing any new coal-fired power plant from ever being built in the United States.”

This outlook has effectively aligned the UMWA with the economic nationalist program of the Trump administration and its moves to gut environmental regulations.

In a statement following the election, Roberts claimed that the “people have spoken.” Far from warning coal miners of the threat posed by the incoming Trump presidency, he promoted dangerous illusions in Trump and signaled the union’s willingness to work with the new president. “President-elect Trump has spoken many times about addressing the serious economic disaster that is affecting large areas of Appalachia and other coal-producing areas of our country by putting coal miners back to work,” Roberts stated. “No one is more interested in doing just exactly that than the UMWA.”



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