

Details emerge of deadly conditions prior to West Virginia mine explosion

By Jerry White
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Rescuers entered the Upper Big Branch Mine in Montcoal, West Virginia, early Thursday morning and resumed the search for four missing miners. Officials acknowledge that hope is dwindling that the men—believed to be several miles from the entrance of the mine—will be found alive more than two days after a massive explosion killed at least 25 miners.

The present death toll at the mine, owned by Massey Energy, is the highest since a 1984 fire took the lives of 27 miners at Emery Mining Corporation's pit in Orangeville, Utah. The Upper Big Branch explosion will likely be the worst disaster since the 1970 blast that claimed the lives of 38 miners at Finley Coal in Hyden, Kentucky.

Adding to the misery and anguish of family members and friends is the fact that the bodies of many of their loved ones remain unidentified. Rescuers were unable to recover all of the bodies before being forced to leave the mine early Tuesday morning because of rising gas levels.

State officials said 31 miners were in the mine—operated by Massey subsidiary Performance Coal Co.—at the time of the blast, around 3 p.m. Monday. Some died from the initial explosion while others suffocated from the poisoned air.

According to a company release issued Wednesday, there were 25 confirmed fatalities, 11 of whom have been identified and 14 of whom have not. Two miners who survived are still hospitalized.

While news accounts have generally portrayed the miners' families as resigned to the dangerous realities of life in the Appalachian coal fields, there have been a few reports of their growing anger over the human sacrifice being exacted by Massey and other coal companies.

Buried in the last paragraphs of its news account Wednesday, the *New York Times* noted: "Some tensions boiled over Tuesday morning around 2 a.m. when [Massey CEO Don] Blankenship arrived at the mine to announce the death toll to families who were gathered at the site. Escorted by at least a dozen state and other police officers, according to several witnesses, Mr. Blankenship prepared to address the crowd but people yelled at him for caring more about profit than miners' lives."

"After another Massey official informed the crowd of the new death toll," the *Times* continued, "one miner threw a chair, a father and son stormed off screaming that they were quitting mining work, and several people yelled at Mr. Blankenship that he was to blame, before he was escorted away from the scene."

Several experienced rescuers working at the Upper Big Branch

Mine report they have never seen an explosion of such magnitude. The blast tore through the mine, bending iron rail tracks like pretzels, according to one account. This indicates that an enormous amount of methane gas—likely made more flammable by coal dust—was present before it was ignited by an unknown source.

Despite fears of victimization, several miners have begun to come forward to describe the deadly conditions before the explosion. In the past two months, miners had been evacuated from the Upper Big Branch mine on two occasions due to dangerously high levels of methane, according to two miners who spoke with the *New York Times* and asked for anonymity out of fear of losing their jobs.

In March, the mine received at least 50 safety violation citations, including at least three for failing to properly ventilate methane gas. In 2009, the mine received 495 citations while coal production tripled.

On Wednesday, the *Charleston Gazette* in West Virginia reported that the mine was cited for two safety violations the day of the explosion, including inadequate maps of emergency escape routes. The newspaper also reported that federal inspectors three months ago cited the mine for having fresh air systems flowing the wrong way near two escape routes—meaning systems meant to bring clean air to miners in an emergency would instead envelope them in explosive and poisonous gas and dust.

Andrew Tyler, 22, an electrician who worked as a subcontractor at the mine two years ago, told the *Times*, "No one will say this who works at that mine, but everyone knows that it has been dangerous for years." Tyler added that workers were regularly told to work 12-hour shifts, that live wires had been left exposed, and an accumulation of coal dust and methane gas was routinely ignored.

"I'm willing to go on record because I am a subcontractor who doesn't depend on Massey for my living," Tyler told the newspaper.

Massey Energy is notorious for its violations of safety and environmental regulations. Prior to this disaster, at least 18 miners were killed at Massey operations since 2000, including two others at the Upper Big Branch Mine in 2001 and 2003.

In 2008, another Massey operation, Aracoma Coal of Logan County, West Virginia, agreed to pay a \$4.2 million fine—the largest in a death-related mining case—for several violations, including a felony count of falsifying safety records relating to the deaths of two miners in 2006. A lawyer representing the widows

in the case uncovered a 2005 memo from Massey CEO Don Blankenship instructing his deep mine bosses to place all priority on boosting coal production.

“If any of you have been asked by your group presidents, your supervisors, engineers or anyone else to do anything other than run coal (i.e., build overcasts, do construction jobs, or whatever), you need to ignore them and run coal,” Blankenship wrote, concluding, “This memo is necessary only because we seem not to understand that coal pays the bills.”

The nation’s fourth largest coal company, Richmond, Virginia-based Massey Energy made \$104 million last year, twice its 2008 profit, despite continued weak demand for coal. The income was largely derived through a vicious cost-cutting campaign, including the elimination of 700 jobs, the shutdown of higher-cost mines, and substantial wage and benefit reductions. CEO Blankenship made nearly \$24 million in 2007 and \$11.2 million in 2008, and earlier this year he cashed in 200,000 shares of stock options—whose value had more than doubled—pocketing \$3.8 million.

Blankenship became company head in 1990 after leading the union-busting effort against the United Mine Workers during the 1984-85 strike at what was then known as AT Massey (ATM). One account of the company’s history notes, “It was Blankenship who in 1984 urged Massey to take on the UMW, which was looking to negotiate one contract that would cover all of ATM’s 120 mines and subsidiaries. Blankenship and Massey wanted each mine to negotiate an individual contract, arguing that each mine was a separate profit center and operated under different conditions.”

The center of the strike was an AT Massey operation on the West Virginia-Kentucky border, Rawls Sales & Processing Co., run by Blankenship. He employed a private army of heavily armed paramilitary guards, helicopters, security cameras and other equipment, and was instrumental in the frame-up of four miners who spent more than 20 years in jail on trumped-up charges that they murdered a scab coal truck driver.

The strike was betrayed by the UMW, which refused to mobilize its 120,000 miners in a national strike and left the Massey miners isolated in the face of the union-busting campaign backed by the Reagan administration and state and local authorities.

In December 1985, UMW President Richard Trumka called off the 14-month strike, opening the way to an unprecedented rollback in the conditions of miners not only at Massey, but across the industry (See: “Massey Energy and the United Mine Workers union”).

Since 1978, overall coal production has nearly doubled while the number of miners has fallen by half, from 219,661 to 110,052. In underground mines, production has increased by 56 percent, from 229,075,592 tons to 357,847,157 tons, while the number of workers has fallen 60 percent.

Coal bosses like Blankenship—a major supporter of the Republican Party—have long enjoyed the backing of both big business parties in Washington and in the coal states. In 2002, President George Bush named former Massey Energy official Stanley Suboleski to the Mine Safety and Health Administration (MSHA) review commission that decides all legal matters under

the Federal Mine Act.

Nothing has changed with the coming to power of Barack Obama, whose election was backed by Illinois coal interests. One of the first acts of the administration’s new appointee to head the Mine Safety and Health Administration—former UMW safety director Joe Main—was to change the wording of a regulation that would have required a 50 percent reduction in coal dust levels. In so doing, Main undermined a measure designed to save thousands of coal miners from contracting black lung disease, which has experienced a major resurgence in recent years.

On Wednesday, the Labor Department announced that it was launching an investigation into the Massey mine disaster. This follows the same pattern as the Sago Mine disaster in 2006. Democrats and Republicans bemoaned the loss of miners’ lives and pledged to improve safety regulations. Hearings were held and certain limited measures were adopted. But while citations have increased, coal companies like Massey routinely challenge them, rendering the new regulations virtually meaningless, according to safety experts.

The *Times* noted Wednesday, “One in four violations issued against coal mines are now appealed by operators—three times the appeal rate before the law, according to regulators. The result is a backlog of 18,000 pending appeals and \$210 million in contested penalties.”

The *Charleston Gazette* reported that more than four years after the Sago disaster, fewer than one of every ten underground coal mines in the US had improved communications and tracking equipment that could help miners escape after an explosion or fire. Nationwide, 415 active underground mines were mandated by Congress to add this equipment, but MSHA recently reported that only 34 have such equipment installed and fully operational.

Four days before leaving office, President Bush issued a directive saying the technology was not yet ready for use, relieving the companies of the cost of installing such safety features as mandated under the 2006 Miners Act. Earlier this year, a spokesperson for MSHA chief Joe Main said he had no plans to revoke the Bush policy, the *Gazette* reported.

In an interview earlier this week, Blankenship defended his company’s disregard for safety, saying that MSHA and state safety officials had been monitoring conditions in the mine and permitted the Upper Big Branch Mine to continue operations. In a comment earlier this year, he boasted that Massey was the first mining company to win three Sentinels of Safety awards in one year. The awards are co-sponsored by the National Mining Association, where Blankenship serves on the board of directors, and MSHA.

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