

MINING COMPANY IN WEST VIRGINIA CITED FOR 369 SAFETY VIOLATIONS



The West Virginia mining company, where 29 men were tragically killed in an explosion in April of last year, will be paying 210 million dollars in penalties. The money will go to the victims' families, as well as safety measures for the mines, a trust fund for safety and health improvements, and outstanding civil penalties. Massey Energy owned the Upper Big Branch mine in Montcoal, WV, but it was purchased by Alpha Natural Resources earlier this year. As part of the deal settlement, the new company will not be charged with any crimes, but individual employees may still be prosecuted. The Department of Labor (DOL) posted a news release calling the tragedy "the worst U.S. coal mining disaster in 40 years." The DOL's Mine Safety and Health Administration fined the company 10,825,368 dollars, the greatest amount in the agency's history. The MSHA cited 369 safety violations, 21 of which were the most severe civil penalties that the law allowed and 12 of which were the direct cause of the accident. The agency found that a methane ignition was the cause of a considerable coal dust explosion. MSHA Assistant Secretary Joseph A. Main said, "Every time Massey sent miners into the UBB mine, Massey put those miners' lives at risk. Massey management created a culture of fear and intimidation in their miners to hide their reckless practices. [The] report brings to light the tragic consequences of a corporate culture that values production over people. [Secretary of Labor Hilda L. Solis] and I are committed to improving the health and safety of America's miners. To honor the memory of the lives lost at UBB, we will use the lessons learned from this terrible tragedy to fulfill that commitment." Violations recorded by the MSHA included illegally notifying miners of upcoming MSHA inspections; not properly conducting required examinations; permitting dangerous levels of loose coal, coal dust, and float coal dust to amass; not sufficiently applying rock dust to the mine; not efficiently training miners; and not complying with approved ventilation plans and approved roof control plans. David Stanley Consulting LLC, which supplied examiners and workers for the mine, was also penalized for four violations, two of which contributed to the explosion. The total cost of the penalties was 142,684 dollars. "The tragic explosion at Upper Big Branch left dozens of families without husbands, fathers, brothers and sons," said Secretary Solis. "I made a pledge to the families of those we lost, and the entire mining community, to conduct the most complete and thorough investigation possible in order to find the cause of this disaster. The results of the investigation lead to the conclusion that PCC/Massey promoted and enforced a workplace culture that valued production over safety, and broke the law as they endangered the lives of their miners. By issuing the largest fine in MSHA's history, I hope to send a strong message that the safety of miners must come first."

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