WV Mine Safety Bill Heads to Full House

LAWRENCE MESSINA, Associated Press

CHARLESTON, W.Va. (AP) — West Virginia would require random drug testing of all coal mine employees, and not just certified miners, after the House Judiciary Committee amended and endorsed Gov. Earl Ray Tomblin's mine safety legislation on Thursday.

Other changes included: Increasing the maximum civil fine for a safety violation from $3,000 to $5,000, and doubling the potential jail time to one year. Another provision would make violating safety standards a felony that carries a prison term of up to five years. Affected miners or their survivors would be allowed to attend interviews and hearings when a mine accident is investigated.

Many of Thursday's changes borrow from a mine safety bill introduced earlier this session by Speaker Rick Thompson, D-Wayne, and other House members. The committee otherwise kept Tomblin's various provisions aimed at increasing mine safety.

Both bills seek to respond to Upper Big Branch, the worst U.S. coal mining disaster in four decades. Several investigative reports have concluded that the Raleigh County mine's then-owners allowed a build-up of highly explosive methane gas and coal dust. Worn coal-cutting machines ignited the blast, and broken and neglected water sprayers proved ineffective, investigators say.

The 2010 disaster killed 29 miners. The governor's provisions would require methane gas detectors on mining machines, and embrace a tougher standard for diluting coal dust with crushed rocks. The provisions also would increase state oversight of plans meant to ventilate mines, and require more routine training for masks that help miners breathe during emergencies.

The legislation would aim to bolster an anonymous whistleblower hotline, and make it a state crime to announce when inspectors enter a mine. Such alerts are already illegal under federal law, and investigators believe they were routine at Upper Big Branch.

As amended, the bill would also require mining machines to shut down and cut off power when nearby methane reaches a dangerous level. Another Thursday change would require mine superintendents to sign off on the mine's log book entries. The legislation advances to the full House of Delegates.

West Virginia's Office of Miners' Health, Safety and Training is scheduled to release their report on Upper Big Branch next week, the final expected findings from the disaster.

Earlier reports came from the U.S. Mine Safety and Health Administration, the

United Mine Workers Union, and special investigator J. Davitt McAteer. Each blamed then-owner Massey Energy for creating the conditions that led to the explosion, and also faulted the since-acquired company's attitude toward safety laws and regulators. MSHA and its state counterpart were criticized as well.

Source URL (retrieved on *09/20/2014 - 10:04pm*):
http://www.chem.info/news/2012/02/wv-mine-safety-bill-heads-full-house