Inspectors Issue 45 Violations after Mine Fatalities

VICKI SMITH,Associated Press

MORGANTOWN, W.Va. (AP) — State inspectors have issued 45 violations at a West Virginia coal mine since two men died there earlier this month, including one for negligently rigging the switch on a hoist with a piece of wood and a rusty bolt, according to mine-safety records.

Edward Finney of Bluefield, Va., died at Pocahontas Coal Co.'s Affinity Mine near Sophia on Feb. 7, when he was pinned under a hoist he'd been moving trash into. Hoists are used to move miners, equipment and supplies between the surface and the underground operation.

On Feb. 19, a state inspector found a newly installed switch at the bottom of the shaft housing the 30-ton service hoist had been improperly rigged. The inspector called it a serious violation indicating "an extremely high degree of negligence."

Tennessee-based United Coal Co., which owns Pocahontas Coal, said Tuesday it is cooperating fully with state and federal investigators.

"We take all violations seriously and are actively addressing their root causes. Our employees are our most valuable resource," said corporate counsel Jennifer Guthrie. "We are committed to their safety."

Guthrie said management met with Affinity employees last week for what she called "frank and mutually beneficial" discussions about safety.

"We will continue to maintain open lines of communication with our work force," she said in an email. "Our first objective once the mine reopens will be to focus on task re-training. We will continue our ongoing efforts to implement a safety-first culture."

A separate violation issued for a 19-person emergency hoist at Affinity found it lacked a hinged metal plate to ensure the safe loading and unloading of the cage. Inspectors also declared that a serious violation involving a high degree of negligence.

John Myles, a shuttle car operator from Hilltop, was crushed by a scoop at the Affinity Mine just last week.

His death was the fourth in 14 days at West Virginia mines and prompted Gov. Earl Ray Tomblin to call for a statewide time-out for safety. The one-hour talks at some 500 operations have been going on since and are expected to conclude soon.

Such stand-downs are not uncommon in West Virginia. In April 2010, after an

explosion at Massey Energy's Upper Big Branch mine killed 29 men, former Gov. Joe Manchin issued an executive order calling for a similar time-out. He also urged one in 2006, after another string of fatal accidents.

Investigators said Myles had been shoveling coal as a scoop operator gathered it up, but the scoop reversed directions, striking and crushing him.

The records obtained by The Associated Press show the West Virginia Office of Miners' Health, Safety and Training has also issued several violations for impaired visibility on scoops since the accident, although officials couldn't immediately say whether any of the scoops listed in the documents was the one that crushed Myles.

In several cases, however, workers had piled bags of pulverized limestone, buckets of bits and other supplies atop scoops. That could impair an operator's line of sight.

An inspector noted the practice of hauling supplies on scoops was the focus of a safety meeting the day before Myles died. Yet he found the same violations Feb. 20, while the mine was under a control order limiting it to basic maintenance and inspection functions.

Other violations written since the fatalities include: inadequate ventilation; insufficient rock-dusting to prevent explosions; accumulations of loose coal and explosive coal dust; improperly grounded electrical equipment; and trash holes filled with combustible materials.

Inspectors also noted that there was too little clearance between workers and moving equipment at the bottom of a supply shaft, and a ventilation alarm was not audible on either the mine's communication system or in the dispatcher's office.

The records also show that West Virginia inspectors made Pocahontas Coal aware of other dangers in the mine before the fatalities.

Inspectors issued 31 violations between Jan. 1 and Feb. 5 for safety problems ranging from the accumulation of loose coal and damaged power cables to inadequate record-keeping, and violations of roof-control and ventilation plans.

Inspectors also issued violations for impaired visibility on shuttle cars, among other things.

Spokeswoman Leslie Fitzwater said the company has been notified of all violations but no fines have yet been assessed.

Federal records show the Mine Safety and Health Administration had cited thee Affinity mine for some 65 violations since January, for everything from failure to maintain mine and escapeway maps to allowing combustible materials to accumulate.

In March 2012, MSHA listed the Affinity mine among three that had been caught giving illegal, advance warning that inspectors were onsite the month before. The

practice lets miners and managers underground conceal potentially deadly conditions from inspectors.

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