

Tomblin Calls for Safety Stand-Down at Mines

DAVID GUTMAN & VICKI SMITH, Associated Press

CHARLESTON, W.Va. (AP) — West Virginia Gov. Earl Ray Tomblin on Wednesday asked coal companies to halt production for an hour to review safety procedures following the state's fourth mining fatality in two weeks and the sixth since November.

Tomblin signed an executive order urging mine operators to hold safety talks with employees over the next 24 hours, starting Wednesday afternoon. Inspectors and mine safety officials plan to visit about 500 mines, a move supported by industry.

"We need to make sure that our mines are as safe as they possibly can be," said Tomblin, who was joined by legislative leaders, safety officials and industry representatives.

In April 2010, after an explosion at Massey Energy's Upper Big Branch mine killed 29 men, former Gov. Joe Manchin ordered a similar temporary stop in production. He also ordered one in 2006, after the deaths of 16 miners in the back-to-back explosions of International Coal Group's Sago Mine and Massey's Aracoma Coal Alma No. 1 mine.

"We just want to do everything we can to try to bring everyone's attention and refocus and have them re-emphasize safe practices and safe conditions," said Bill Raney, president of the West Virginia Coal Association.

The request comes after John Myles, 44, a shuttle car operator from Hilltop, was struck by a scoop Tuesday night and died of his injuries. The death at Pocahontas Coal Co.'s Affinity mine near Sophia was its second this month.

Federal records show that mine has been cited for safety violations 65 times since January, for everything from failure to maintain mine and escapeway maps to allowing combustible materials to accumulate.

State inspectors had been at the Affinity mine on Monday and Tuesday, before the fatal accident, giving safety talks, according to West Virginia mine safety director Eugene White. White said the mine had only recently reopened after a fatality earlier this month.

"Obviously, we're very concerned, having a second fatality," said Pocahontas Coal's corporate counsel, Jennifer Guthrie. "As far as we know, the incidents are not related."

Pocahontas Coal is cooperating with state and federal investigators but cannot comment further, she said.

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Edward L. Finney, 43, of Bluefield, Va., died Feb. 7 after a hoist moved unexpectedly as Finney was pushing a scoop bucket insert full of trash onto it. The preliminary investigation suggests the hoist picked up the scoop and trapped Finney underneath.

Pocahontas Coal is a subsidiary of Tennessee-based United Coal Co., which is controlled by Ukraine-based Metinvest.

In March 2012, the federal Mine Safety and Health Administration listed the Affinity mine among three that had been caught giving illegal, advance warning that inspectors were onsite the month before. MSHA proposed nearly \$126,000 in fines last year, but its database shows only about \$16,400 has been paid.

Affinity has been cited 10 times for failing to protect workers from roof falls, 10 times for problems with fire sensors and automatic warning devices, and eight times for problems with ventilation controls. The database shows five equipment-related violations, three violations related to escapeways and two violations related to its roof-control plan, among other things.

So far, MSHA has proposed fines for only two of the minor violations. The rest have yet to be assessed.

MSHA director Joe Main praised Tomblin's initiative and said his inspectors, supervisors and managers will travel throughout the state starting Thursday to talk with operators, miners and miners' representatives about what he called an "alarming trend."

"Mine operators need to make sure that they are conducting proper mine safety examinations to find and fix hazards," he said, "and they need to make sure that miners are properly trained to do the jobs they are assigned, particularly activities not part of their normal routine."

MSHA will also issue a written alert describing all six deaths, along with best practices for preventing them.

"The industry is coming off two of the safest years in mining in this country," Main said. "The six deaths that occurred over the last month are tragic and unacceptable, and MSHA will take whatever actions are necessary to ensure the safety and well-being of all our miners."

On Tuesday, before the latest fatality, White told legislators he's visited the site of each mining death since becoming director Jan. 1.

"I wish I could answer, and tell you what the problem is. I probably wouldn't be director. I'd be rich and I'd be a consultant," he told the House of Delegates. "... Our fatalities are occurring to our older coal miners, most of them, and some of them I don't understand why they happened."

Earlier this month, 34-year-old Brandon Townsend of Delbarton died when a

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hydraulic jack exploded on a belt press at Midland Trail Energy's Blue Creek preparation plant in Kanawha County. Another worker was injured in the blast at that mine, which is owned by St. Louis-based Patriot Coal.

Last week, 51-year-old Glen Clutter of Baxter died of head injuries he suffered while trying to put a loaded supply car back on track at CONSOL Energy's Loveridge Mine.

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Smith reported from Morgantown. Lawrence Messina contributed from Charleston.

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