

# Ex-Coal Executive Implicates Ex-CEO in Mine Case

JOHN RABY, Associated Press

BECKLEY, W.Va. (AP) — A former president of a Massey Energy subsidiary implicated the company's chief executive officer in safety violations as he pleaded guilty Thursday to charges resulting from an investigation into the 2010 explosion at a Massey mine that killed 29 men.

David Hughart entered the plea to two federal conspiracy charges on Thursday in U.S. District Court. He was accused of working with others to ensure miners at White Buck Coal Co. and other Massey-owned operations got advance warning about surprise federal inspections between 2000 and March 2010.

The judge asked Hughart if there was a policy to give advanced warnings and, if so, what company officials ordered the policy.

"What officers are you talking about?" Judge Irene Berger asked.

"The chief executive officer," he replied.

The CEO at the time, Don Blankenship, was not mentioned by name. Assistant U.S. Attorney Steve Ruby declined comment about Blankenship after the hearing because the investigation remains ongoing.

Blankenship retired about eight months after the explosion at the Upper Big Branch mine and is the man who many families of those killed have said they'd like to see prosecuted. Massey has since been bought out by Virginia-based Alpha Natural Resources.

Hughart was cooperating with investigators, a sign that authorities may be gathering evidence to target other Massey officials in their ongoing investigation. Prosecutors have declined to say who else could face charges in the wide-ranging and continuing probe of the worst U.S. coal mine disaster in four decades.

Hughart became the highest ranking of three former mine workers convicted since the investigation began into the explosion at Upper Big Branch mine. He faces up to six years and a \$350,000 fine when he's sentenced on June 25.

Four investigations into the Upper Big Branch explosion have concluded that Massey concealed problems at the mine through an elaborate scheme that included sanitized safety-inspection books and an advance-warning system. The mine has since been sealed.

Prosecutors also have negotiated a \$210 million agreement with the company that bought Massey, Alpha Natural Resources, to settle past violations at Upper Big Branch and other Massey mines. That protects the company from criminal

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prosecution but leaves individuals open to it.

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