



News Statement

Connect with DOL at
<http://social.dol.gov!>



U.S. Department of Labor For Immediate Release
Office of Public Affairs
Washington, D.C.
Release Number: 11-767-NAT

May 19, 2011
Contact: Amy Louviere
Phone: 202-693-9423
Email: louviere.amy@dol.gov

Statement by MSHA Assistant Secretary Joseph A. Main on release of Upper Big Branch Independent Investigation Report

ARLINGTON, Va. – Joseph A. Main, assistant secretary of labor for mine safety and health, today issued the following statement regarding the release of the Upper Big Branch Independent Investigation Report:

“Maintaining a safe mine is the responsibility of the mine operator. The tragedy at the Upper Big Branch Mine was entirely preventable, and basic safety practices were not followed by Massey Energy. Those were the major findings in the Governor’s Independent Investigation Panel’s report on Upper Big Branch, released today.

“GIIP agrees with much of the evidence analyzed by MSHA to date. It reveals that methane was ignited at the tail of the longwall as the longwall shearer – which had faulty water sprays – cut into sandstone in the mine roof, the likely source of the ignition. The ignition then transitioned into a major coal dust explosion.

“The GIIP report found that ‘Massey failed to properly examine the mine to find and fix hazards and violations; control the accumulation of coal dust in the mine by adequately rock dusting; maintain water spray systems on the longwall cutting shearer; submit an effective mine ventilation plan; and comply with approved plans.’

“Massey knew it was having serious compliance problems and failed to effectively fix them. However, as the GIIP report points out, Massey did more than fail to act. Massey promoted a culture that ‘prized production over safety’ and where ‘wrongdoing became acceptable.’ As such, it violated the law and disregarded basic safety practices.

“As part of this culture, the GIIP report found that Massey employed tactics to intimidate miners from speaking out about unsafe conditions. As we heard from congressional testimony of miners last spring, Massey also hid violations from government enforcement agencies, such as through advance notice of inspections, which is prohibited under the Federal Mine Safety and Health Act of 1977.

“We are playing a significant role in making mines safer. Yet, there are mine operators that don’t get it. They operate differently when MSHA is not there, and they know MSHA cannot be there all the time. That’s why we have called on Congress to provide us with more tools to protect miners. We need to make sure that recalcitrant operators do get it.

“While our own investigation is ongoing, it is fair to say that MSHA is in agreement with many of the GIIP findings. The panel’s report echoes many of the findings that MSHA has been sharing with victims’ families and the public.”

###