

News Release



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MSHA fines against Nevada gold mine upheld by Review Commission *Midas Mine to pay more than \$500,000 in penalties*

SAN FRANCISCO – The U.S. Department of Labor’s Mine Safety and Health Administration (MSHA) announced today that the Federal Mine Safety and Health Review Commission approved more than \$500,000 in penalties against Newmont Mining Corporation’s Midas Mine of Elko, Nev. The penalties, along with \$60,000 in additional fines, were issued in the June 2007 death of an underground gold miner.

On June 19, 2007, an underground blaster was fatally injured while operating a load-haul-dump over a backfilled stope – a space left open and then backfilled with a concrete mixture after ore is removed during the underground mining process. The vehicle, along with the miner, fell through the floor into a void that had developed due to subsidence and was not unearthed for two days. The victim’s body was recovered on July 2.

MSHA cited Newmont Mining for two violations that contributed to the fatality: Failure to provide adequate ground control, and failure to provide adequate barricades or signs to warn miners about the hidden hazards of sinkholes.

“Mine management showed a disregard for the miners’ welfare,” said Michael A. Davis, MSHA’s deputy assistant secretary for operations. “Several of these individuals were aware that subsidence was occurring in the mine, but did not control the hazards and continued to require miners to work and travel in hazardous areas.”

Administrative Law Judge Richard Manning approved \$220,000 for the ground control violation and \$129,500 for the barricade violation. The judge also approved another \$149,338, which includes two violations for impeding MSHA’s accident investigation by failing to provide maps and other documents, and a \$5,000 reporting violation for Midas Mine’s failure to report the entrapment within the required 15 minutes. The first-line supervisor, two general foremen and the engineer each agreed to pay a total of \$60,000 in individual assessments for their roles in the flagrant ground control violation.

The final investigation report regarding the June 19, 2007 fatality is available on MSHA’s Web site at <http://www.msha.gov/FATALS/2007/FTL07m14.asp>.

NOTE: This case was the result of a negotiated settlement for civil money penalties, including citations for not timely producing certain investigative documents. (*added 7/8/2009*)

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