

News Release



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US Labor Department, Genesis Inc. reach settlement of nearly \$549,000 *Troy Mine repeatedly cited for ground control violations following 2007 fatality*

ARLINGTON, Va. – The U.S. Department of Labor’s Mine Safety and Health Administration today announced that Genesis Inc. has agreed to a settlement of \$548,865 for citations and penalties issued as a result of inspections prompted by hazard complaints registered on the heels of a mining fatality. A mechanic at the company’s Troy Mine in Lincoln County, Mont., was killed in July 2007 when falling material trapped him in the cab of his truck. An administrative law judge with the Federal Mine Safety and Health Review Commission approved the settlement and ordered the company to make payments to MSHA beginning Feb. 26, 2010.

The miner’s death brought to light seriously flawed ground control (roof) conditions at the mine, and miners made numerous hazard complaints to MSHA between August 2007 and April 2008. Those complaints resulted in dozens of citations being issued by MSHA inspectors.

“As a result of the litigation between MSHA and Genesis Inc., the company has begun implementing new ground control measures and workplace examination procedures,” said Joseph A. Main, assistant secretary of labor for mine safety and health. “Those efforts paid off because, during the first quarter inspection of fiscal year 2010, no ground control violations were detected.”

MSHA’s investigation found that the 2007 fatality occurred because the mine management failed to ensure that adverse ground conditions identified during the mining cycle were adequately supported. Management provided a ground control plan listing ground support systems that would enhance control of adverse ground; however, these systems were not fully implemented. Supplemental support materials identified in the ground control plan were not readily available.

In a separate settlement resolved in August 2009, Genesis Inc., agreed to pay \$60,000 for one violation that contributed directly to the July 2007 fatality.

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