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MSHA issues 10 withdrawal orders at Kentucky coal mine on pattern of violations

ARLINGTON, Va. – The U.S. Department of Labor’s Mine Safety and Health Administration today announced that it has issued 10 withdrawal orders at Bledsoe Coal Corp.’s Abner Branch Rider Mine, just one month after the Leslie County, Ky., operation received a notice of a pattern of violations. These orders mark an unprecedented use by the agency of an enforcement action under Section 104(e) of the Federal Mine Safety and Health Act of 1977.

Under Section 104(e) of the Mine Act, a mining operation on a POV is subject to a withdrawal order each time MSHA issues a significant and substantial, known as an S&S, violation. The order remains in place until the violation is abated. An operator can be removed from POV status only after undergoing a complete inspection without receiving an S&S violation.

“I’ve said time and again that MSHA will use all the tools at its disposal to prevent accidents, illnesses and injuries in the nation’s mines,” said Joseph A. Main, assistant labor secretary for mine safety and health. “Mine operators must be held accountable, and we will make sure that those who persistently violate safety and health laws are subject to this enforcement action.”

The 10 withdrawal orders include two issued on May 3 because the mine roof was not adequately supported to prevent a potential roof fall. To terminate the order, the mine operator scaled the loose drawrock and installed cap blocks and wedges over the bearing plates to support the mine roof. Two miners were withdrawn from the mine until the conditions were corrected.

Of the remaining orders, three were issued on May 10 for inadequate ventilation controls and inadequate roof, rib and face support, causing the withdrawal of more than 30 miners working over three shifts. Inspectors found that ventilation controls between the secondary escapeway and the belt entry had become damaged and difficult to open. The order related to inadequate ventilation controls was terminated the following day when the operator installed a pressure relief slider in the personnel door and made modifications to enable the doors to easily open.

Inspectors found large slabs of material measuring approximately 5 feet in height, 12 feet in length and 4 to 8 inches in thickness, as well as the presence of a crack 2 to 4 inches behind the rib material. The order related to inadequate rib support was terminated the following day when the unsafe ribs were wrapped with banding material and 1- by 6- inch boards.

The New West Virginia Mining Co.’s Apache Mine in McDowell County, W.Va., also received a POV notice, however the mining operation is currently idle.

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