



# News Release

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



U.S. Department of Labor  
Office of Public Affairs  
Washington, D.C.

For Immediate Release

July 12, 2012

Contact: Amy Louviere

Phone: 202-693-9423

Email: [louviere.amy@dol.gov](mailto:louviere.amy@dol.gov)

Release Number: 12-1403-ATL

## **MSHA proposes more than \$594,000 in fines to Kentucky coal company for violations related to 2011 mine fatality**

**ARLINGTON, Va.** – The U.S. Department of Labor’s Mine Safety and Health Administration has proposed \$594,100 in fines to Manalapan Mining Co. Inc.’s P-1 Mine in Harlan County, Ky., for four violations. The proposed penalties were assessed as a result of an investigation into the June 2011 death of a miner who was fatally injured when a large section of rock fell from the underground coal mine’s wall, or rib, and knocked him into a dolly.

Although there were no witnesses to the accident, federal accident investigators believe that the continuous haulage system backed up during the mining process, causing the dolly to move along the conveyer belt structure and drag the victim, David A. Partin, from beneath the fallen material.

MSHA determined that the accident occurred because the mine operator failed to support or control the ribs to protect the miner on one of its mechanized mining units, or MMUs. Additionally, the operator failed to conduct adequate pre-shift and on-shift examinations, and ignored the hazardous rib conditions on the MMU. Finally, the operator failed to revise and upgrade the roof control plan to address changing geological conditions that had occurred on the MMU.

The agency has proposed penalties for one violation at \$70,000 and three flagrant violations at \$174,700 each. A flagrant violation is defined as a reckless or repeated failure to make reasonable efforts to eliminate a known violation of a mandatory safety and health standard that substantially and proximately caused, or reasonably could have been expected to cause, death or serious bodily injury. Flagrant violations, which were established under the Mine Improvement and New Emergency Response Act of 2006, may be assessed a maximum civil penalty of \$220,000 each.

“Dozens of miners are injured by rib and roof falls every year and, tragically, some are killed,” said Joseph A. Main, assistant secretary of labor for mine safety and health. “The accident investigation found that, had the mine operator properly secured the mine’s ribs and revised its roof control plan to address changing geologic conditions, this tragedy might have been averted.”

Last month, MSHA launched its annual Preventive Roof Rib Outreach Program, an educational initiative designed to alert miners and mine operators about the dangers of roof and rib falls, as well as the methods for thoroughly checking and addressing hazardous roof and rib conditions.

The mine operator has contested all of the violations related to the June 2011 fatality.

MSHA’s accident investigation report is available at <http://www.msha.gov/FATALS/2011/FTL11c09.asp>.

###

U.S. Department of Labor news materials are accessible at <http://www.dol.gov>. The information above is available in large print, Braille or CD from the COAST office upon request by calling 202-693-7828 or TTY 202-693-7755.