

Crandall mine referral includes testimony, engineering data

By CHARLES MCMANUS
Sun Advocate community editor

On May 8, the United States House of Representatives' education and labor committee chair George Miller released formal statements concerning the congressional investigation into last August's Crandall Canyon mine disaster.

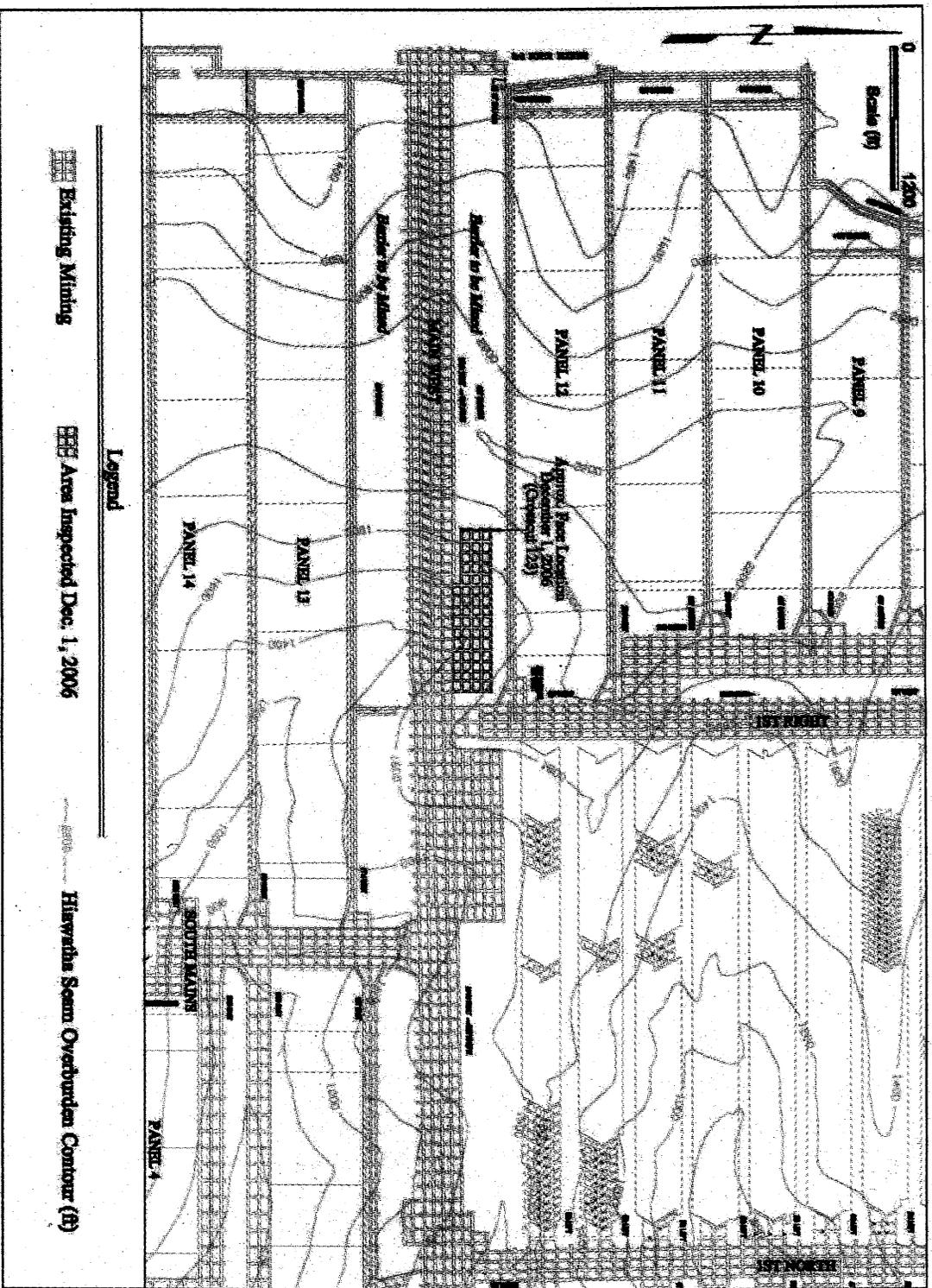
Released along with the committee's findings were testimonies from witnesses, including state officials, mining experts and the families of the entombed miners.

Included in the information was the testimony of Kristen Kimber, identified as the mother of trapped miner Brandon Kimber.

Kimber's comments showed concurrence and support for an independent investigation into the incidents at the Crandall Canyon mine.

"I always felt the mining industry was safe due to the checks and balances of MSHA and the owners of the mines to ensure the safety and well-being of all their employees and other workers in the mine," said Kimber during her October 2007 testimony. "His belief has been ripped apart by the tragedy that killed Brandon and upon learning of Mr. Murray's mining practices and MSHA's rubber stamping the practices."

The witness questioned the ability of the U.S. Mine Safety



and Health Administration to fairly investigate the federal agency's practices.

Mr. Murray and MSHA investi-

gate themselves, when nine men are dead under their watch?"

Mr. Murray and MSHA are to blame yet they are not letting the families

participate in the investigation. Obviously, oversight is needed to Congress, the United Mine Workers of America and others."

Also included on the committee's website is the testimony of Gov. Jon Huntsman Jr.

The governor's October 2007 testimony laid out the members

for the newly formed Utah Mine Safety Commission. The commission was charged with:

- Reviewing the state's role in mine safety, including the inspection process, accident prevention and emergency response.
- Reviewing the Crandall Canyon disaster and the state's role leading up to the accident.
- Evaluating how the state can assure that MSHA and private mining companies are doing everything reasonably possible to ensure the safety of Utah miners, the workers' families and local communities.
- Developing appropriate policy recommendations regarding how the state should promote mine safety and accident prevention.

The state commission met following the Crandall Canyon accident and released a report in January formally defining Utah's role in mine supervision.

Following the congressional committee's findings, Miller submitted a referral to the U.S. Justice Department, calling for an investigation into the coal mine general manager's actions.

"I write to request that the department of justice investigate whether Laine W. Adair, individually or in conspiracy with others, willfully concealed or covered a material fact or made

(Continued on page 4A)



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Officials including Price City Mayor Joe Piccolo meet during the Utah Mine Safety Commission's first session at the College of Eastern Utah.

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(Continued from page 1A) materially false representations in a matter under the jurisdiction of the executive branch, specifically MSHA in violation of 18 USC 1001," stated Miller in the referral.

"Adair was the general manager of Genwal Resources Inc. during the time period relevant to the referral," continued Miller. "Genwal operated the Crandall mine, an underground coal mine located near Huntington from 1995 until the mine's closure last year, after the deaths of nine individuals at the mine."

Murray Energy Inc. responded to Miller's allegations in defense of Adair through their attorney Kevin N. Anderson, but made no comment concerning the chair's allegations of conspiracy. Anderson's statement alleged that Miller while trying to further his political agenda "concocted a criminal referral concerning the tragedy that occurred at the Crandall Canyon mine," before MSHA had finished their official investigation. He further stated that, "this callous inference is based on a radically incomplete review of the facts...and ignores contradictory records and prior investigators findings."

Miller's committee used an independent engineering company, Norwest Corporation, to investigate the roof control plan submitted for the Crandall mine and approved by MSHA on June 15, 2007.

In their executive summary, posted on the committee's website, Norwest officials define their role

and findings. "Assuming the pillars within the main west retained originally mined support characteristics when mining was completed in the main west in 1995, Norwest concluded the following," stated the summary.

- Areas of elevated risk indicators were not identified.
- Some modeling results indicated more investigation was required to further analyze barrier pillar safety factors.
- Retreat mining in the north and south barrier results indicated higher stress loading on the pillars adjacent to the forming gob as expected. No elevated risk indicators were identified.
- Some modeling results indicated the main west sealed area contained the weakest area of pillars.
- More investigation was necessary regarding the condition of the main west pillars.

The Norwest report further states that, under a second modeling scenario, the extent of any deterioration or damage to the main west pillars is not definitely known as the main west was sealed in 2004. A Bureau of Land Management inspection before the sealing however indicated pillar deterioration.

Norwest's modeling results identified, under the assumption of deteriorated main west pillars, indicators showed increased potential for pillar failures. Based upon the indicators identified in these analyses and the actual occurrences

of the August 2007 bounce, the roof control plan amendment was not considered adequate under this assumption of deteriorated main west pillars.

According to Miller's comments it was this information along with streams of other data the lead

to the committee's conclusions and subsequent department of justice referral.

Murray Energy Inc. would make no further comment beyond their statement of support for Adair, in view of ongoing investigations into this matter.

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