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"Who Killed the Miners?"

By Erik Reece

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Now that the last prayers have been offered up for the 19 men who lost their lives this winter in Kentucky and West Virginia mines, I think it's time we get down to the hard work of taking responsibility for their deaths. Because Appalachian coal is shipped across the country, almost anyone who uses electricity at home or work must acknowledge some responsibility. But some people bear more than others. It's time to name names.

I'll start close to home with Mitch McConnell. No other U.S. senator has so adamantly defended the right of corporations to donate unlimited amounts of money to election campaigns, all in the name of free speech. And because coal companies give 91 percent of that money to Republicans, many believe George W. Bush rewarded McConnell's efforts by naming his wife, Elaine Chao, as Labor Secretary in 2000. Within days of Bush's inauguration, Chao replaced Assistant Secretary of Labor Davitt McAteer, who oversaw the Mine Safety and Health Administration (MSHA), with Dave Lauriski, who had spent his professional life managing and lobbying for coal companies.

A month before Lauriski's appointment, the largest environmental disaster east of the Mississippi occurred when the bottom of a huge coal impoundment pond gave way, pouring 300 million gallons of toxic coal slurry into the regional watershed near the town of Inez, Ky., (where, incidentally, LBJ stood on a miner's porch in 1964 to announce his War on Poverty). The director of the National Mine Health and Safety Academy, Jack Spadaro, discovered that Massey Energy, the company mining above Inez, had been warned that the pond was unstable and would eventually break. But Massey had refused to comply with MSHA's recommendations to reinforce the pond's reservoir. Spadaro and a team of investigators recommended that Massey be cited for criminal negligence.

But there was one problem. Dave Lauriski was not Davitt McAteer. Lauriski (who during the investigation met repeatedly with Massey CEO Don Blankenship) refused to go along with Spadaro's recommendation. Consequently, Spadaro refused to sign the final report of MSHA's investigation. In retaliation, Lauriski had the lock on Spadaro's office door changed, then tried to have him fired on trumped-up charges. When that didn't work, he transferred Spadaro far from his West Virginia home to a Pittsburgh office.

Spadaro retired rather than accept the transfer, but Lauriski used the same tactic against other MSHA employees who had the temerity to do their job of protecting miners. On May 14, 2002, Lauriski met in his Washington office with Bob Murray, an influential coal operator who complained that safety enforcement at his mines was too strict. Ellen Smith of Mine Safety and Health News reports that Murray had personally donated \$75,000 to Republican campaigns, and from 2000-03, his PAC contributed \$648,000 - - 96 percent of it going to Republicans. Within days of Murray's meeting with Lauriski, two MSHA officials were transferred away from Murray's mines.

A few months later, Murray told other MSHA officials that if enforcement didn't loosen up at his Powhattan Mine in Ohio -- which had the worst safety record in Mine District 3 -- he would put district manager Tim Thompson "in his sights." According to Ken Ward Jr. of the Charleston Gazette, Murray told the MSHA officials, "Mitch McConnell calls me one of the five finest men in America, and the last I checked, he was sleeping with your boss."

Within months, Thompson was transferred out of Murray's district, which was already operating at only 86 percent of federally required staffing levels. Two weeks after the transfer, in January 2003, an explosion at the district's McElroy Coal Co. killed three miners.

Given all this, it's easy to understand why people like Martin County resident Mick McCoy have concluded that, under the current administration, "the watch dogs of the people have become the guard dogs of the coal industry." Under Bush, 100 safety officers have been cut from MSHA, and the agency has issued fewer and smaller fines and collected less than half of the money owed by violators.

When Lauriski left MSHA in 2005, he left behind an agency weakened and demoralized. But to Lauriski's way of thinking, he had accomplished much. In 2003, he brazenly told the Oklahoma City Journal Record, "The industry has always been good to me. . I just hope that I've given back as much as I've received." I'd like to hear him tell it to the families of . [the] dead miners. There are two ways to mine coal: You can strip it from the surface or dig it underground. Surface mining, especially mountaintop removal, which is leveling central Appalachia at a disconcerting pace, destroys forests and streams and leaves entire communities with toxic water, mudslides and flash flooding. Underground mining kills miners -- quickly with explosions and roof collapses, slowly with black-lung disease. And yet Dick Cheney's new energy plan calls for millions of dollars in subsidies for this callous industry.

Which leads back to responsibility. In an astonishing display of indifference, Richard M. Strickler, Bush's new appointee to head MSHA, told senators that he saw no need for tougher safety laws. But West Virginia Gov. Joe Manchin isn't waiting for the feds to act. He has already begun overhauling regulations at the state level, calling for miners to carry greater oxygen supplies underground and for every mine to install tracking devices that would quickly locate them in the event of a roof collapse or explosion. Gov. Ernie Fletcher should follow Manchin's lead.

In addition, if the Bush administration won't assume any responsibility, individuals can. If everyone reading this replaced the five most frequently used lights in their homes with compact fluorescent bulbs, which use a quarter of the energy of regular bulbs, our country's consumption of coal would plunge overnight. And if on top of that, you bought an Energy Star-rated refrigerator, your consumption of coal-fired energy would drop almost by half, and so would your electric bill. And if we as communities demanded that our electric companies followed the 10/20/30 plan -- provide us with 10 percent renewable energy by 2010, 20 percent by 2020, on out -- we could finally stabilize the levels of carbon dioxide in the atmosphere, stop our global climate crisis and weaken some Gulf Coast hurricanes in the process. To base an economy of infinite growth on a finite and deeply problematic source of energy is short-sighted and dangerous. It is time we called ourselves and our so-called leaders to account.

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