



News Release

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



U.S. Department of Labor
Office of Public Affairs
Washington, D.C.
Release Number: 11-1495-ATL

For Immediate Release

Oct. 13, 2011

Contact: Amy Louviere

Phone: 202-693-9423

Email: louviere.amy@dol.gov

MSHA audits uncover injury, illness underreporting at Kentucky mine *4th operation to be placed on potential pattern of violations status*

ARLINGTON, Va. – The U.S. Department of Labor’s Mine Safety and Health Administration has placed Kevin R. Yonts’ Mine No. 2 in Letcher County, Ky., operated by Vision Coal, on potential pattern of violations status based on data gathered during agency audits. MSHA found that 19 out of 39 audited mines either failed to report injuries or underreported the lost time associated with reported injuries, and four of the 19 met the criteria for a PPOV.

The three operations already on PPOV status include two Alpha Natural Resources Inc. mines in Boone County, W.Va. – Randolph Mine operated by Inman Energy and Justice No. 1 Mine operated by Independence Coal Co. Inc. – as well as the Maple Eagle No. 1 Mine operated by Maple Coal Co., a Walter Energy Inc. mine located in Fayette County, W.Va.

“These results expose an unsettling amount of underreporting at mines that already have troublesome compliance records,” said Joseph A. Main, assistant secretary of labor for mine safety and health. “These audits are an important tool as MSHA scrutinizes its system of operators self-reporting accidents and injuries. We cannot simply accept information provided by a mine operator that may be avoiding PPOV enforcement action.”

The 39 audits revealed a total of 76 injuries that were unreported or underreported, including 47 unreported injuries at six separate mines formerly controlled by Massey Energy. A total of 247 citations was issued as a result of the audits, including 98 for failing to accurately report injuries.

Two Peabody Energy mines – Willow Lake Portal operated by Big Ridge Inc. in Saline County, Ill., and Air Quality No. 1 Mine operated by Peabody Midwest Mining LLC in Knox County, Ind. – have yet to comply with MSHA’s audit. In late May, an administrative law judge with the Federal Mine Safety and Health Review Commission ruled that these mines must turn over documents to MSHA so the agency can complete its audits. After Peabody continued to withhold the records, MSHA notified the company on June 23 that the agency was proposing a daily civil penalty of \$4,000 against the Air Quality No. 1 Mine. The proposed daily penalty will continue to accrue until all of the audit information is provided to the agency. The mine operator has appealed the judge’s decision to the commission.

Pursuant to Part 50 of the Code of Federal Regulations, mine operators are required to file reports pertaining to accidents, occupational injuries and occupational illnesses, as well as employment and coal production data. In turn, MSHA is authorized to inspect any information the agency thinks may be relevant and necessary to determine compliance with reporting requirements, including medical, employment and other company records.

Editor’s note: Due to a clerical error, Dennis Creg Yonts originally was identified as the controller of Vision Coal Inc. He is the vice president and Kevin R. Yonts is the president.

###

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