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MINING - ACCIDENTS

1996

JANUARY - JULY

TOTAL c/forward
Training for mine inspectors

The Argus Correspondent

PRETORIA. — A new era dawns for South Africa's mining industry today when a special, mine inspector training programme starts.

The programme was initiated by the Department of Mineral and Energy Affairs and will produce not only the country's first black mine inspectors but also the first women inspectors.

Minister Fik Botha said the programme was a response to the Leon Commission on Mined Safety and Health that South Africa's mine inspectorate be strengthened.

The department found those willing to do the job were not qualified and those qualified to do it were already employed elsewhere at higher salaries.

The only thing to do was to put willingness and qualifications together — that is what the programme is designed to achieve — to find willing candidates and enable them to qualify themselves to do the task," Mr Botha said.

More than 1,200 applications were received for the three year theoretical and practical course which starts today for the 50 chosen applicants.
Programme will train black mine inspectors

Over Correspondent

A new era dawns for South Africa's mining industry with the start of a special mine inspector training programme, announced in Pretoria yesterday.

The new programme starts today.

The programme, initiated by the Department of Mineral and Energy Affairs, will produce the country's first black and women mine inspectors.

Mineral and Energy Affairs Minister Pik Botha said the programme was in response to the Leon commission on mine safety and health, which recommended that South Africa's mine inspectors be strengthened.

The department found that those willing to do the job were not qualified for it, and those qualified for the task were already employed elsewhere at higher salaries.

The solution was to find willing candidates and enable them to qualify themselves for the task, Botha said. The new programme set out to do just that, Botha said.

More than 1,200 applications were received for the three-year course, which will be part theory, part practice. The course starts today.

After evaluation, the number of applicants was reduced to 100. After further assessment, a final 50 applicants were chosen for the course.

(28) Star 2.12.96 (212)
NUM ready to go to court

BY ROSS HERBERT

Johannesburg — Management at Gold Fields' Kloof mine allegedly gives injured mine workers light surface jobs and then fires them two or three months later to avoid paying expensive injury compensation, according to Kgalema Motlanthe, general secretary of the NUM.

He said the union intended to go to court over 36 such cases at Kloof.

Such allegations are at the heart of the strike, along with complaints that the head of the union at Kloof was unfairly dismissed.

Motlanthe said Kloof management had earlier reached an agreement with workers over the issue of dismissal of injured workers, but the mine continued the practice.

Kloof management could not be reached for comment, but Gold Fields spokesman Marian Brooker said dismissals were "an issue between the company and individual workers."

Yesterday workers continued to meet management and caucus among themselves over whether to return to work.
The attorney, Richard Spoer, said that in interviewing workers in preparation for the inquiry he came across workers with "symptoms consistent with chronic arsenic poisoning", apparently from sources other than water.

Spoer maintains that the evidence suggests arsenic-based gas is being given off at the mine's processing plants.

In a report to the union, he said that he examined workers who complained of vomiting, pain in internal organs, darkened skin and pusules and scars over most of their bodies. These symptoms were consistent with chronic arsenic poisoning.

"We are looking at a far more serious problem than we previously thought. It is a very ugly situation. The company wants to play hardball," Spoer said.

Spoer recommended that chemists and outside medical staff be brought in to examine the processing plants and the workers.

He said an acting mine supervisor gave approval for doctors to examine workers.

They had been rushed to the mine, but before arriving at the agreed time, Spoer received a call from company lawyers who denied access to workers and the mine's health facilities.

Tim Spindler, a company director, said the company would not agree to expand the arsenic investigation beyond poisoning of water unless a new formal complaint was lodged.

"He wants to walk into the mine and examine all and sundry workers," said Spindler, who said the company was acting legally because it had been forced to by Spoer.

"We'd be very foolish not to defend our legal position. Do you help the guy trying to nail you, to nail you?" he asked.

"We'd be glad to sit down with the union and the government. But he should not spring it on us on short notice."

"We don't see any benefit in preempting the government enquiry," Spindler said.
Mboweni warns Anglo over layoffs

BY ROSS HEBRER

Johannesburg — The government yesterday put the mining industry on notice that it would require much closer consultation ahead of large layoffs.

Anglo American's announcement yesterday that about 10,000 jobs will probably have to go in its gold division took the government by surprise.

"I am extremely concerned," said Labour Minister Tito Mboweni. "The mining industry should supply me with a detailed submission on plans for future layoffs and downsizing."

Mboweni's statement came as Anglo announced available profit at its five gold units of R144.8 million for the December quarter, compared with R134.1 million in September.

The key news was a R5.1 million loss at Anglo's Free State Consolidated Gold Mines, down from a profit of R22.6 million in the September quarter.

Anglo said it planned to close five mine shafts at Freegold, unless present cost and productivity conditions changed.

The shafts set for closure include Western Holdings' No 3 and 7 shafts, Freddie's No 9 shaft and Saaplaas's No 3 and 4 shafts.

Anglo said only "significant" improvements in profitability could save the shafts and the 10,000 related jobs. It warned six other shafts were at risk.

Overall gold production declined by 2 percent to 56,476kg.

Vaal Reefs increased after-tax profit from R131 million in the September quarter to R163.7 million. Western Deep Levels improved after-tax profit from R73.8 million to R82.2 million.

Elandsrand, which experienced problems associated with a butane explosion and new finds of butane gas, had a decline in after-tax profit from R41 million to R26 million.

☐ See Page 16
Anglo gets NUM blame for closures

The National Union of Mineworkers said on Friday that management was behind Anglo American's decision to retrench 10 000 workers with the planned closure of five shafts at its Freegold mine.

"It is an indication of serious mismanagement and lack of forward planning," said NUM general secretary Kgalema Motlanthe.

Labour Minister Tito Mboweni, concerned about the pending closure, plans to meet Bobby Godsell, head of Anglo's gold division, to discuss the issue.

Mr Motlanthe said the union had for years campaigned for a social plan to recognise mines had a limited life span. Such recognition would provide for early downsizing. "But management have not taken this seriously."

The NUM and Anglo management are scheduled to meet in Welkom next week. — Sapi

See Page 4
NUM confirms
arsenic poisoning

Fumane Diseko

THE National Union of Mine Workers (NUM) in Mpumalanga says it has confirmation that workers in New Consort Gold Mine, Barberton, show symptoms of "chronic" arsenic poisoning.

The formal inquiry into the alleged poisoning, by arsenic-contaminated water, of hundreds of people living near the mine in October last year, began on Monday.

Both mine owner Anglovaal and the regional director of Mineral and Energy Affairs, Althus Kloete, refuse to comment until the investigation is completed.

NUM's lawyer, Richard Spoor, states that tests conducted by the South African Bureau of Standards reveal that the concentration of arsenic in refrigerated drinking water was 4.81 milligrams of arsenic per litre of water, and tap water contained 2.75 mg/litre. These results are above the legal limit of 0.5 mg/litre.

Spoor says he has information that powdered arsenic trioxide had been stored in polypropylene bags in an open shed because it could not be sold to other industries due to its iron content. These bags had apparently burst open and contaminated the area.

"In examining the environmental contamination, we need to look at how the arsenic trioxide is stored and what the levels of poisoning are in the working area, especially the roasting plant," Spoor says.

Miners are also exposed to arsenic in the workplace when the gold is extracted from the ore, which contains arsenopyrite.

A report conducted at the mine on behalf of NUM by Dr. Mohamed Jechhay from Industrial Health Research Group (IHRG), stated that miners had "skin rashes, itchy eyes; bowel dysfunction, abdominal pains; nose ulcers" as well as arsenic dermatis (skin darkening similar to that caused by skin lightning creams); loss of feeling and swollen, tender livers.

An IHRG industrial hygienist was refused permission by the mine management to inspect the roasting and gold plant.
NUM: We've been shafted

MGH (Joh) 26-1-12 91 212

Labour wants a greater say in the decisions made on the mines, report
Karen Harverson

and Vuyo Mvoko

O ONE is arguing with Anglo American Corpora
tion, but productivity changes are needed at Free State Consolidated Gold Mines to avoid the threatened closure of five of its shafts and the loss of 10,000 jobs.

But chief executive Bobby Godsell says a plan for "more shifts, more blast and more gold" at Freepo
gold which reported a R1.1 billion loss in the December quarter ended 1999 
must be seen in the context of long

standing demands by workers to review the entire mining industry.

Lamont Marais, Steel and National Union of Mineworkers NUM regional co-ordinator in the Free State, says decisions are being made without our involvement and with no access to information, geologi
cal or otherwise.

"Conditions underground are not what about the top-heavy and inefficient levels of management. Why must it always be black workers in the lower grades who lose their jobs? We have a right to a say in the future of these mines and how they are run."

And the government agrees. Labour

Minister Tito Mboweni has stood both the government and the unions should not be caught by surprise when these things begin to happen. These are three major restructuring.

NUM assistant general secretary

Gwede Mantashe says the profitability of mining operations stems beyond increasing the output of workers. "It should also include flattening manage
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hoc. There is a need for a major surgical overhaul of the industry which management has been avoiding.

"Randgold, by being one of the few manage
tment structure, took a number of loss-making operations, but in the main they were still making profits," he says.

Mantashe asks why the same can't be done for all five loss-making shafts, and make them profitable.

"You also need to analyse how much money flowed from the shafts, particularly Southafrica. That was the money that had to be made profitable," he argues.

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NUM assistant general secretary Gwede Mantashe says the profitability of mining operations stems beyond increasing the output of workers. "It should also include flattening management structures, issues such as double blasting, single paid supervision and multiple owners. You can't just add the cost of productivity ad

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gold from closure, but questions why it is only called now when the NUM called for problems in the min-
ing industry to be discussed last year.

"They [Anglo] wait for a bad result and then hold the threat of job losses over our heads like a gun," says Mantashe.

"There is no justification to "gun down" workers. You can't just say this不行就不行." He claims that management is biased and does not listen to the workers.

"We should have the right to participate in the management of our own company," he says.

The government tied the restructurings since 1999 and instead, had been calling for a better management of the process. Not accepting that all mines have a certain life span, the union has since been calling for forward planning as well as a "social plan" that workers should be encouraged to retrench workers.

Mantashe believes the restructuring announced by Anglo to part of a bigger plan by big business to usurp the support base of the ANC led-govern
erment.

"The government is relying on the business sector to create jobs while restructuring the public sector but instead all we've seen is the outcome of job losses in the private sector."

Employment in the mining industry reached its peak in 1987, but a third of that workforce has since lost their jobs, says NUM.

This week 3,000 workers at Harmony opted for retirement pack-
ages in the face of an insecure future.

The mine's managing director, Bernard Swaneepoel, hailed the move as a "constructive approach."

When 5,000 workers were to be retrenched at Klerksdorp three weeks ago even the 2,000 who were going to be retrenched demanded their packages.

"We need commit

ment from Anglo American that they will do everything possible to protect jobs."

GM said after his meeting with Godsell this week.

Not that there have never been dis

cussions before between the workers' representatives and management. Among other things the agreement has proposed that there be wage increases and a full calendar production cycle which will include weekends and public holidays.

"We've been very explicit," Anglo American public affairs manager, James Duncan said before Thursday's meeting with worker representa
tives in Welkom.

He said productivity, costs incurred, and the gold price were the main problems facing Freepo
gold at present.

Costs containment programmes, he said, worked to some extent, but the miners would have to make some sacrifices and inflation has caught up with them.

While mining activities have given "a window of opportunity," the gold price remains largely a function of factors beyond the control of the South African gold producing industry he said.

But who's not productive and why? Duncan failed to provide a more direct answer. He refused however that the miners are not maki
g the necessary advances to produce gold at a profit, and "it is not feasible for the shareholders to bear the consequences."

So should the workers who bear the consequences? What of the suggestion of "serious mismanagement" which NUM's general secretary, Kabelo Mmola says.

"We've got to rise above blame and recrimination. It is an absolute psy
chosis in this country. We are not interested in solutions," Duncan said.

Solutions have to be more long
term than "mere dog fights," he said.

Mboweni, put it, "We need an inte

ractive approach with mechanisms which include dialogue, consultation and information gathering and sharing.

"From a personal point of view, the mining industry needs to come to the Cabinet and say 'This is where we are, today, what the trends are saying, and this is where we are likely to be in the year 2000.'"

"It would be wrong for the govern
tment to say we can't do this, at this stage. The best thing is to let the parties sort it out. When they see that you are in favour of one or the other party they'll use you to angle for advan
tage. You'll add weight on a particular side," says Mboweni.

He is proposing an inter-ministerial sum
mit which will include trade and industry, finance minister and energy affairs, and Deputy Prime Minister Tokyo Miku's office.

The summit will look at the relationship between the ministries and how the two can all ensure a more purpose regarding the creation and preservation of jobs.

Mboweni is setting up a unit that will do continuous research and will advise on a whole range of labour matters. "We have to make relationships, which is a dynamic process, has a place within the department of labour."
Dept still trying to end coal mine fire

BY ADAM CROCKET

An abandoned coal mine which caught fire in Witbank has spurred the Department of Mineral and Energy Affairs into action as they plan methods to extinguish the inferno, burning in some places as hot as 1,500°C.

The mine, which was last worked in 1965 and was closed to the state in 1994, is just one of a number of hazardous coal mines spread across the Witbank area.

The mine flared up on Tuesday last week and large amounts of smoke have since been pouring from its depths.

According to witnesses, the flames were leaping up to 10 metres into the air and producing noxious black smoke that could be seen from up to 7km away.

Witbank Wildlife Society chairman, Woden Odendaal, said fumes from the smoke contained high levels of sulphur and were threatening the nearby Visman township. "We have enough problems of people with chest complaints from the pollution in the area as it is but this is unbearable," he said.

Spokesman for the Witbank Council, Pieter de Klerk, said the area was also dangerous because the ground was unstable and prone to collapse. He said a similar mine which was doused by the municipality five years ago had also been burning at a temperature of 1,500°C.

"These mines take years to cool down, and today the same mine is still burning at about 1,500°C," he said.

Aldo Cloete, regional director of the Department of Mineral and Energy Affairs, denied the mine was a "direct threat" to people's health. He added that it was impossible to assess the costs of rehabilitating the mine "as it is not known what the total implication of the underground fire will be."

The mine is in the sensitive catchment area for a number of local rivers, including the Klip Spruit, the main tributary of the large Loskop Dam. High salinity levels in the surface water have been recorded by the Department of Water Affairs and Forestry as a result of pollution emanating from mining.

The department found that 70% of the catchment area's sulphate load came from coal mines, specifically abandoned ones.
BY JUSTICE MALALA

For mineworker Anderson Penise, the accident which left him injured at Blyvooruitzicht mine yesterday was the last straw, and he vowed from his hospital bed that he would never go down a shaft again.

"My four children deserve to have a father, someone to give them the education I did not have. So I think I will go and look for a safer job," he said.

Penise said he did not see what happened, and that he was safe only because he had been further away from where his colleagues had been working.

"All I heard was a loud noise, then I found rocks and soil piled on top of me up to the waist. I screamed for someone to come and help me, but there did not seem to be anyone," he said.

Penise said he pulled himself from beneath the rocks and rushed to the shaft station, where the shaft boss found him.

"It was the worst thing I had ever seen. I could hear screams and crying," he said.

Bontle Noko, Kerebotswe, team leader of the gang of 17 men involved in the accident, said he had been giving instructions to a worker towards the end of the area when work was taking place when he heard the blast and was hurled down by falling rocks and soil.

"I pulled myself out of the rubble and saw that I was bleeding profusely from the head. I managed to bandage myself. Screams were coming from the other side of the rubble, but I could not see what was happening because the whole passage was blocked.

"After finding the shaft boss and showing him where the accident occurred, I was brought up to surface.

"But I am coming back to work here.

"Danger is something we live with here, it is part of the job," said the Botswana resident.

Another survivor, Winnet Nteta, who suffered eye and other injuries, said he had no fear whatsoever, and would return to work as soon as he was well.

"It could have been any one of the people who work at this mine. This will not stop me working," he added.
Search for trapped miners

in the course of the day and two had died. The injured were treated at the mine hospital and one, who had a leg fracture, was transferred to the Rand Mutual Hospital in Johannesburg.

The workers involved in yesterday's accident come from South Africa, Botswana, Mozambique and Lesotho.

National Union of Mineworkers chairman at the mine, Phindle Stofa, said the union would seek an urgent meeting with mine officials to address health and safety regulations there.

"We have already signed an agreement with the mine to introduce full-time health and safety stewards here and, if these agreements had been implemented sooner, perhaps this would not have happened."

Phindle said the stewards would be introduced in February and he hoped that workers would then be able to refuse to enter dangerous work areas. The knowledge that their protests would be backed by professional assessments of their work areas.

Nearly 14 hours after the imagination of the mine's No. 2 shaft, the rescue operation was back at the mine's No. 1 shaft, where the rescue teams had still not reached them. After seven days, the rescue teams were working on the third level of the shaft and the workers were told they could leave work for the day.

The screams of three miners still trapped underground were heard but rescue teams had not reached them. A spokesman for the mine said there were no injuries and that the rescue team was back at the mine's No. 1 shaft. The rescue operation was on the third level of the shaft and the workers were told they could leave work for the day.

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Screaming has stopped, but search for trapped miners goes on.
Three miners still trapped

The Argus Correspondent

Johannesburg — Rescue teams worked through the night to try to reach three miners still trapped 1928 metres underground at the Blyvooruitzicht gold mine near Carletonville.

Nearly 24 hours after the rockburst at the mine's No2 shaft which killed two and critically injured two of the 17 workers in the area, rescuers had still not reached them.

Randgold human resources director Richard de Villiers said the rockburst occurred at 9 am yesterday, three hours after the team started work in the area.

Of these, 10 were rescued in the course of the day and one had died.

The body of another miner was discovered at about 10 pm along with two critically injured miners.

Another miner was found working with the rescue team earlier in the afternoon. "He had just carried on working," Mr De Villiers said.

National Union of Mineworkers chairman at the mine, Phindile Stofu, said the union would seek an urgent meeting with mine officials.

The Department of Mineral and Energy Affairs will investigate the accident.
Twice lucky for rescued miner

By Noxolo Kweza and Sapa

Malungiga Salelo considers himself lucky to be alive. He was among the miners who were trapped 1,724 metres below surface at Blyvooruitzicht Gold Mine, near Carletonville, on the Far West Rand for 11 hours on Tuesday.

Three miners died, seven of the 15 survivors were injured and two were still missing by late yesterday.

And for Salelo, it was second time lucky to survive a similar near-death situation. Last year he was trapped underground at the same mine when a rock fell and pinned him to the ground.

This time around he was trapped near his workmate Bheki Ntomhane when ground collapsed in the bowels of the earth on Tuesday morning.

Speaking from his hospital bed at Blyvooruitzicht Hospital yesterday, the 42-year-old Transkei father of a young boy said: "I never thought we would be rescued in time.

"We had no water and I was so thirsty. It was becoming more difficult to breath as the minutes ticked by. There was just no fresh air coming in," he said.

They were rescued just before midnight on Tuesday by a rescue team that had worked around the clock.

Salelo said he was afraid to go back underground for fear of a third accident he might not survive.

However, he will have to go back to work when he recovers. "I have a family to look after.

"My wife is ill. She suffers from persistent stomach aches. If I quit this job, where will I find another to support my family?" he said.

Salelo suffered a dislocated left hip and is expected to be in hospital for the next six weeks.

Mine spokesman Mr Durk van Eeden said the rescue operation would continue until the missing miners were found.

Rescue teams were working non-stop with heavy equipment, hampered by dangerous conditions and the risk of further rockfalls in their efforts to dig through collapsed rock in the mine tunnel to the missing miners.
Chances recede of rescuing two Blyvoor miners buried alive

BY JUSTICE MALALA
Labour Reporter

The bodies of the two men trapped 1,928m underground since a rockfall at the Blyvooruitzicht gold mine on Tuesday were recovered early today. This brings the death toll to five.

The names of the dead, some of whom were not South African citizens, will only be released once all families had been informed, said mine spokesman Dirk van Eeden.

Four of the 10 miners injured in the pressure burst have been discharged from hospital.

Five are "recovering very well" in the mine hospital, according to senior medical officer Dr Alan Graham.

The sixth is in Johannesburg's Rand Mutual Hospital.

Rescue operations have now been completed, but, Van Eeden said, it would take another three weeks for the area to be cleared for operations.

Hopes of finding the last two miners still underground alive began to fade late yesterday, but rescue workers toiled through the night in temperatures of up to 40°C in the hope the men might miraculously be trapped in an air pocket.

Of the 17 miners who were unaccounted for after the accident at about 9am on Tuesday, two were found unscathed, seven slightly injured and a further three severely injured.

Two of the men were found dead on Tuesday and another body was found yesterday, mine management said.

The search follows a rockfall caused by a buildup of pressure. The burst measured 2.3 on the Richter scale.
Hopes fade for trapped miners

JOHANNESBURG: Hopes of finding the last two miners still trapped 1.928m underground after Tuesday’s rockfall at the Blyvooruitzicht gold mine near Carletonville al-ive started fading late yesterday as the death toll rose to three (212).

Mine spokesman Mr Dirk van Eeden said rescue teams would continue working throughout the night to reach the men, in the hope that the earlier “miracle” of rescuing two others trapped underground in an air pocket would be repeated.

Of the 17 men unaccounted for immediately after the accident, about 9am on Tuesday, two have been found unscathed, seven were slightly injured and three others more seriously injured.

Two of the men were found dead on Tuesday and another body was found yesterday.

ET 11/21/96

Staff Writer, Sapa, Reuters
Rockfall at Blyvoor mine is "unlikely to disrupt production"

BY FRANK LEWIN

Johannesburg — Production would not be materially affected at Randgold's Blyvooruitzicht mine despite Tuesday's rockfall which killed at least three miners, the mine's management said yesterday.

"It is quite a scattered, old mine, with faces some miles away from the accident site, so mining is continuing elsewhere," said a source who wished to remain anonymous.

The mine's main shaft, which produces about 700kg of gold a month, was closed after the accident. While drilling had resumed, blasting would be suspended until the two miners who were still missing were found, he said.

Blyvoor's share price reflected dismay at the accident and worries over disrupted production. It slipped about 7 percent, or 50c, to R7 yesterday.

"There will be a slight hiccup in production for a day, but I have no doubt that full production will resume quickly," a source said.

The dead miners were covered by group life insurance and the mine would not be liable for large compensation payments, the source said.

The rockfall was caused by a seismic tremor measuring 2.3 on the Richter scale.

That is considered serious, but not necessarily lethal unless the epicentre is close to weakened walls of a working seam, he said. "This was a pre-conditioned (reinforced) stope.

"You can de-stress an area with the best technology in the world, but if the epicentre hits near it, there's nothing you can do."

An mining analyst, who did not wish to be named, said he doubted Blyvoor's share price would suffer seriously from the accident.

In production terms, he said, the rockfall was negligible.

"A few years ago an accident like this would barely have made the news. It shows how much awareness of safety issues and working conditions have grown," the analyst said.

Llewellyn Xnel, a spokesman for the Chamber of Mines, said though the trend in mine fatalities was downwards because safety standards were more strictly enforced — 35 miners died last year compared with more than 600 in 1986 — little could be done to prevent the sort of rockfall that killed the Blyvoor miners.

He said seismic tremors, as the people of Japan and California know-to their cost, were extremely hard to predict.
Miners' bodies recovered

The Argus Correspondent

Johannesburg — The bodies of the two men trapped 1,026 metres underground since Tuesday's rockfall at the Blyvooruitzicht gold mine were recovered early today. This brings the death toll in the accident to five.

Mine officials were in the process of contacting next of kin, and the names of the dead — some of whom are not South Africans — would be released only once all families had been informed, said mine spokesman Dirk van Eeden.

Four of the 10 miners injured in the pressure burst have been discharged. Five are "recovering very well" in the mine hospital, according to senior medical officer Alan Graham. The sixth is in Johannesburg's Rand Mutual Hospital.

Rescue operations had now been completed, but Mr Van Eeden said it would take another three weeks for the area to be cleared for operations.
Mine inquiry reveals 1992 crash precedent

Ingrid Salgado

THE joint inquest-inquiry into last May’s Vaal Reefs mine disaster resumed yesterday with testimony from the mine’s former manager that he had not been told of a 1992 locomotive accident that bore certain similarities to last year’s accident.

Andre Wilkins — who left the mine a few months prior to the disaster — said he had heard about the accident only after last year’s disaster. He was not mine manager at the time of the 1992 accident.

The 1992 incident occurred when a slow-moving locomotive under power pushed cars into the mine’s No 2 shaft. Nobody was injured.

Last year’s accident killed 104 miners when a fast-moving locomotive under power and a man carriage toppled into the shaft.

During questioning from state advocate Regal du Toit, Wilkins said he should have been informed of the 1992 accident.

He agreed with Judge Ramon Leon that steps should have been taken after the 1992 incident to prevent vehicles from falling down the shaft. He also agreed that further safety precautions would have been taken if miners had been killed in that accident.

Leon said the facts of the 1992 accident were different to those of the 1995 disaster, except that both involved locomotives. The question was whether a “reasonable person” ought to have taken steps to prevent a recurrence of the incident.

Wilkins said he did not know why tests were not carried out after the 1992 accident to determine the ability of different systems to stop locomotives at various speeds. Such tests had been conducted after last year’s disaster. During his term as mine manager, Wilkins was satisfied that No 2 shaft conformed to Vaal Reefs standards and general industry norms.
2 more miners' bodies found

By Noxolo Kweza

The bodies of two miners trapped underground since Tuesday's rockfall at Blyvooruitzicht Gold Mine near Carletonville on the far West Rand were recovered early yesterday, bringing the death toll to five.

A rescue team worked around the clock to recover the bodies.

Three miners died and several were injured on Tuesday when 17 workers were trapped 1,724 metres below the surface. One miner is still in a serious condition at Rand Mutual Hospital in Johannesburg.

**Pressure burst**

Mine spokesman Mr Dirk van Eeden said yesterday that the names of the dead, some of whom are not South African, would only be released once all their families had been informed.

Four of the 10 miners injured in the pressure burst have been discharged from hospital. Five were "recovering very well" in the mine hospital. The earth is at Rand Mutual Hospital.

The rockfall was caused by a build-up of pressure in an area of the mine. The pressure-burst measured 2.3 on the Richter scale, according to Sapa.

Van Eeden said mining operations resumed on Wednesday in areas unaffected by the accident. Only blasting operations had been suspended until the rescue operation was completed.

The last time the mine experienced an accident of such magnitude was in January 1991 when six workers died after a pressure-burst.

The affected B4 area was expected to be cleared, safe and operational within three weeks.

B4 forms a small part of the mine's total operation. Production losses were expected to be minimal and would be made up from production in other areas of the mine.
Mine plunge ‘a repeat of ’92’

BY JUSTICE MALALA
Labour Reporter

A manager at Vaal Reefs Mine’s Number Two shaft was not told about a 1992 accident at the mine involving a moving underground locomotive and similar to the one that later killed 104 miners at the mine on May 10 last year.

Testifying at the inquest into the accident — one of the worst in SA mining history — held in Bramfords, Johannesburg, yesterday, Andre Wilkens said in the period between September 1994 and March 1995, while he was manager of the shaft, he had not been told of the accident in which an underground locomotive had plunged down the mine shaft.

Judge Ramon Leon, who is leading the inquest, pointed out that the common thread between the two accidents was that the locomotives had in both cases plunged down the mine shaft while under power.

“When I looked at the 1992 accident in hindsight, (I saw that) one could have learnt something from it,” Wilkens said yesterday.

The inquest is charged with determining what caused last year’s accident.

Wilkens said during his tenure at the shaft he had ordered an audit of safety measures in place there, and the consultant who carried out the audit had recommended the installation of a new safety device that would hopefully be able to stop a locomotive moving under power toward the shaft.

He said after evaluating the recommendation he had decided it had “its positive points and its negative points”, and had left the decision whether to implement it or not up to shaft engineers at the mine.

He said the audit he received from people present at No 2 shaft at the time of the May 10 accident satisfied him the shaft complied with Vaal Reefs and mining industry standards.

Under cross-examination from state counsel Riegal du Toit, Wilkens said it had never been mentioned to him that changes had been made to the shaft due to the 1992 accident.

In response to a question whether the 1995 accident was foreseeable in light of the 1992 accident, Wilkens said when assessing the 1995 accident one could not exclude anything the similarities with the one before it.
Mine manager surprised at recurrence of accident

THE manager of Vaal Reefs mine would not have expected an accident to recur that was similar to a 1992 accident in which a locomotive under power pushed four cars into a shaft, he told the joint in-
quest-inquiry into last May's Vaal Reefs disaster.

Mike Prinsloo said recommendations of a report into the 1992 accident were treated "urgently". Mine
officials had taken the steps they deemed necessary to prevent a similar incident.

He could not say whether further action would have been taken if people had died in the accident.

He became aware of the 1992 accident only after the 1995 accident.

He was away at the time of last year's disaster, when a locomotive under power and a man carriage fell into the mine's No 2 shaft, killing 104 people.

During questioning from NUM's legal counsel, Karl Tyc, Prinsloo said only with the benefit of hindsight gleaned from last year's disaster could he say that the 1992 accident warranted greater attention than was given.

That 104 people were killed last year was "a major tragedy," he had never before come across an accident resulting from a power-driven vehicle.

News of the disaster had come as a "total shock" to him, he said.

He was unaware of an accident at Western Deep Levels South mine in 1987 in which a locomotive fell into a shaft. Prinsloo was a production manager at Western Deep at the time.

Tyc said it was "startling" that a production man-
ger at one portion of the mine should not hear of an accident that occurred at the same mine.

Prinsloo agreed that mineshafts were managers' primary safety concern.

It was also inherently dangerous that locomotive
rails ran into shafts, he said.
Grim week for gold mines
as 7 more die
(212) 03 5/2/96
South Africa's second serious
gold mining accident in a week
has claimed seven lives, an official
said at the weekend.
Nick Segal, director of strategy
and corporate affairs for mine
owners JCI, said rescuers had
found seven men killed and two
injured in the underground rock-
fall at the Randfontein Estates
gold mine near Johannesburg.
The accident happened around
11.30am on Friday, about 700m
underground, at the mine's
Coober I Shaft, where a team was
overhauling a section of the shaft.
Segal said production had not
been affected and a full investiga-
tion into the cause of the accident
was under way.
A company statement extended
sympathy to family and colle-
agues of the dead and injured.
Five miners were killed in an
accident at the Blyvooruitzicht
gold mine on Tuesday - Reuters
Mine safety device

early probe told

Mine safety device

service was held for the dead miners at the Bissooni Colliery yesterday.

Loes we forget...
Holfontein water not contaminated, says report

By TAMAR DE BEER

A laboratory test has revealed that the smelly brown water which drained into a trench last month below EnviroServ’s Holfontein hazardous waste site near Springs had a metal content and traces of sewage – but no definitive contamination from the site was evident.

The trench was intended to drain stormwater away from the road just below the site, but neighbours Holfontein Brickworks objected because of the colour and smell of the water. The trench was later refilled.

Dr Henry Abbot of the Department of Water Affairs and Forestry (DWAF) said the water appeared not to be contaminated by leachate (liquid seepage) from the waste site.

“If it is contaminated, it is at a very low level. We cannot say there is no indication whatsoever of pollution, but there is no definitive evidence of pollution from leachate,” he said.

The main trace metals present in the water were dissolved manganese and iron, with small traces of chromium, vanadium and nickel.

A second sample taken from the water contained aluminium, zinc and lead. These metals might occur in the soil, Abbot said.

Both samples contained an elevated E coli bacterial count, indicating the presence of faecal contamination, possibly from cattle or workers’ ablutions on site.

But the DWAF is concerned about the stability of Holfontein’s dam walls in the light of continuing high rainfall.

Abbot has recommended the construction of a containment system to retain leachate that might escape through a breach in one of the site’s walls.

“The improvements they (EnviroServ) have promised are becoming more urgent. The more rain we have the greater the risk becomes,” he said.

But EnviroServ spokesman Kevin de Villiers said the company was confident that rain would not cause a problem: “We cannot envisage a situation, even with severe rain, that our walls would be threatened,” he said.

Prof Harold Annegarn, of Wits University’s Schonland Nuclear Research Centre and president of the National Association for Clean Air, has been contracted by the DWAF to undertake a study on the impact of Holfontein’s additional waste load and the effect of certain liquid chemicals on air quality in the area.
Shortage of inspectors limits mine safety checks

By Ross Huddler

Johannesburg — Routine mine safety inspections have virtually ceased because of shortages of government safety inspectors, according to Dick Bakker, the acting government mining engineer.

Bakker is responsible for safety and accident inspection.

"Routine inspections are very, very few and far between. We would like to be proactive and do audits and inspections. We seem only to be doing accident inquiries," he said.

His statement comes on the heels of two serious accidents at Blyvooruitzicht and Randfontein mines where five and seven miners were killed.

Bakker accused the Public Service Commission of obstructing a new plan for higher pay that he said was needed to recruit and retain new inspectors who were leaving government for better-paid jobs in the industry.

According to Bakker, the average inspector earns R5 000 to R6 000 a month. "Even junior mine officials earn twice that, plus get free housing," he said.

The Leon commission of inquiry into mining health and safety recommended making inspectors' pay more competitive with the private sector. The cabinet approved the proposal in principle last June.

Refused

The Public Service Commission refused to grant interviews. It said in a written statement that it could not deviate from agreements made with the Public Service Bargaining Council.

Fifty black inspectors have been hired and sent on a three-year training course, but Bakker said there remained an urgent need for more.

"We need between 250 and 350 inspectors, but we now have about 100," Bakker said.

There are 12 vacancies for inspectors.

Bakker and senior members of his staff could not say how many inspections had been conducted in the past 12 months.

Last year, the Leon commission found 50 percent of the risk of fatal accidents occurred in underground mines, but only 30 percent of inspections were underground.

Surface operations accounted for 9 percent of fatalities in 1996, but surface plant inspectors represented 40 percent of the total.

The Leon commission acknowledged that the disparity in public- and private-sector pay was a problem, but criticized the existing inspection service for being too top-heavy and inefficient.

The commission recommended filling inspection vacancies and hiring 25 more inspectors.
The spectre of deadly dust settles over mine

PREDICTIONS: Concerns grow at the North Chinese coal mining company that the continuing pollution crisis could have catastrophic consequences. (Photo: Xinhua)

The North Chinese coal mining company faces growing concerns over the continuing pollution crisis, which could have catastrophic consequences. According to a recent report, the company's operations are at risk due to the severe air pollution in the region. The report highlights that the company's mine is located in an area with high levels of particulate matter, which is a significant health concern for the local population. The pollution crisis has led to the closure of several coal mines in the region, and the company is now facing financial pressure as well as increased scrutiny from the government. The company is reported to be taking steps to address the pollution issue, but the situation remains critical. The company's CEO has stated that the company is committed to finding a solution to the pollution crisis and ensuring the safety of its workers and the local community.
Mine under scrutiny over polluted water

The Grootvlei gold mine in Springs has come under fire from several government departments for failing to meet permit requirements controlling the pumping of polluted water into the Blesbok-spruit.

The polluted groundwater directly affects an internationally recognised wetland as well as agriculture downstream.

The Department of Water Affairs and Forestry last year granted Grootvlei a permit to pump iron- and salt-rich water on condition that measures be taken immediately to purify the water.

The mine was threatened with closure and the cumulative loss of 4,000 jobs if it didn’t pump between 30 and 80 megalitres of water daily out of its shafts.

But according to Grootvlei’s general manager Peter Noble, the mine could not afford a desalination plant to purify water without assistance.

Environmental stakeholders are deeply concerned about the noticeable damage caused to the wetland by the polluted water since pumping began. Mine management said pumping had been suspended for six weeks, but resumed last week.

In spite of heavy rainfall, water discoloration and the deaths of some plants and reeds have been reported. Damage to water organisms, birds and fish has not been ascertained, but seems probable if pumping continues.

The Gauteng department of conservation and agriculture has charged the mine with contravening the nature conservation ordinance, and has said a speedy solution to the problem is required.

A spokesman for the Department of Mineral and Energy Affairs said an agreement on the desalination plant was being negotiated.
‘Subcontractor responsible for mine tragedy’

By Ross Hamilton

Johannesburg — The seven miners crushed to death on February 2 at Randfontein Estates gold mine died because a subcontractor appeared not to have used proper overhead support, according to conclusions by union representatives who inspected the accident site.

The tragedy focuses attention on the use of subcontractors and has led to calls for changes in safety law.

Dick Bakker, the acting government mining engineer, said last week that legislation should be changed so statistics were kept on the safety record of subcontractors.

Unions complained that subcontractors offered inadequate training and recruited inexperienced workers who were involved in more accidents than regular mine workers.

Bakker said he could not comment on whether proper overhead support was used at Randfontein, but said he planned to investigate whether the mine had adequate safety systems and whether it was training contract workers properly.

"Where contractors are used there are definitely more workers involved in accidents. From our perspective it doesn't matter. The mine manager is still responsible," Bakker said.

According to the NUM, the Randfontein branch of the union had complained to the mine’s management last March about what appeared to be unsafe overhead supports in a tunnel at the mine’s Cooke number-one shaft.

The overhead was supported by wire mesh held in place by long bolts drilled into the overhead rock. However, the support system had apparently been in place for several years and had deteriorated.

Randfontein management had brought in a subcontractor to replace the mesh. According to Charles Freeland, the union’s regional organiser who inspected the site last Thursday, the scene appeared as if the subcontractor had cut out the existing support mesh without putting adequate temporary supports in place.

Seven workers were squatting under the unsupported roof when a section of rock of about 12.5m² fell down.

"The contract workers obviously didn't have any training. Any trained mine worker would never cut down a wire mesh or stand under it without support," Freeland said.

Unsafe

"It is quite possible it was decidedly unsafe," said Bakker, who inspected the site on the day of the accident.

JCI spokesman Marc Gonsalves said an inquiry was under way and any comment on the investigation would be inappropriate until findings were complete.

Randfontein employs about 12,000 workers and the number-one shaft had achieved 2 million fatality-free shifts before the accident.

Bakker said the law made no provision for statistics to be kept on the safety record of particular subcontractors. He said he would support changes in the law to require the tracking of contractor safety.

The number of subcontracted workers had grown from 9 percent of the mining workforce in 1987 to 10 percent in 1994.

On coal mines subcontracted workers had grown from 3 percent in 1987 to 16 percent in 1994, according to NUM subcommittee to the labour market commission.
Call for culpable homicide charges in mine probe

Renee Grawitzky

SOME Anglo American managers, previous mine managers, as well as the driver and electrician who dealt with a locomotive which fell down a Vaal Reefs mine shaft last year should face culpable homicide charges, the Vaal Reefs joint inquest and inquiry heard yesterday.

This was the state's recommendation in closing arguments to the inquest-inquiry regarding the disaster on May 10 last year in which 104 mineworkers were killed when the locomotive fell down No 2 shaft on to a cage.

The joint inquest-inquiry is reaching its closing stage after having reconvened last August.

The state did not propose any prosecution against the company.

Meanwhile, five mineworkers were killed in a rockfall which occurred at Vaal Reefs' No 11 shaft yesterday.

Anglo American said the employees killed were from Shaft Sinksers Ltd.

The rockfall had taken place 2 400m underground.

Sapa reported that the company declined to comment on how production at the mine had been affected, but said that work had been suspended in the accident area.
Five miners killed in rockfall at Vaal Reefs

FIVE miners were killed by a rockfall at Vaal Reefs gold mine at Clerdesop in North West yesterday, mine owners Anglo American announced.

Two bodies were recovered soon after the accident and the bodies of two others, listed as missing earlier, were discovered by rescue teams, the corporation's gold and uranium division said.

One of two men injured in the rockfall was admitted to hospital but later died of his injuries.

The other injured man is in a stable condition. The rockfall occurred at 5.45am on 77 level in the mine's number 11 shaft some 2460m below surface.

The names of the dead and injured are being withheld until their families have been notified.

In another mining accident on Monday, a miner aged about 30 was killed in a rockfall at Randfontein Estates gold mine on the West Rand.

West Rand police spokesman Sergeant Herman Esterhuizen said the identity of the man, who died of multiple head injuries, was being withheld until his family had been informed.

No other miners were injured in the incident.

Vaal Reefs was the scene of one of the worst mine accidents in South Africa when 104 miners were killed in May last year after a runaway locomotive and carriage plunged down a shaft and crushed a lift carrying the workers.

At least 3400 mineworkers have been killed in underground accidents in South Africa during the past five years. — Sapa.
Electrician tampered with safety devices, inquest hears

AN INQUIRY into one of SA's worst mine disasters heard yesterday that 104 men were killed because an electrician tampered with safety features on an underground tram to speed it up.

Judge Ramon Leon is chairing the joint inquiry and inquest into the accident at Vaal Reefs last year, where a runaway underground tram plunged down a shaft on to a mine lift. Both crashed about 460m to the bottom of the 2,300m-deep shaft, killing all 104 workers in the lift cage.

Lawyer Cecil Steinhauer, acting for shaft engineering supervisor Henry Peens and electrical foreman Louis le Roux, told Leon there was clear evidence that electrician Ndwavwe Khoza was at fault.

"There is ample evidence from several witnesses, including Khoza himself, to show that bridging out safety features on a locomotive was not permitted under any circumstances.

"With his own hands, he bridged the controller on May 3 1996 and left it in that bridged-out condition for a week afterwards — in an unsafe condition," Steinhauer said.

The effect of the bridging out was that once the tram was out of control, safety mechanisms would not cut off the current to the motor.

Arguing that there was no negligence on Le Roux's part, he said "A reasonable foreman would not have foreseen an experienced electrician like Khoza would deliberately have flouted all the mine standards by bridging out all safety components.

"Peens, as Le Roux's senior, is further removed from responsibility for the conduct of Khoza than Le Roux — and the foreman must rely on the honesty and integrity of his artiunus."" Alice Freund and Selwyn Silent, lawyers for tram driver Tespang Jack Mota, said he inadvertently set the train in motion towards the shaft.

"It was a quirk of fate that his conduct was the last in a chain of events which must have involved negligence by others that led to the tragedy." Mota was not to know the train's key safety components had been bridged, or that it had been left in a dangerous condition, they said.

Renee Grawitzky reports that the NUM said yesterday Vaal Reefs and previous mine managers employed prior to the accident at No 2 shaft should face culpable homicide charges. The union's legal counsel, Kurel Lui, said the company should face charges on the basis of negligence for omitting to ensure safety through the reasonable measure of proper safety devices.

The proceedings continue today with Vaal Reefs presenting its closing arguments — Reuter.
Tutu is looking for volunteers

Wyndham Hartley

CAPE TOWN—The truth commission would have representatives in every town across the country, chairman Desmond Tutu said yesterday.

It had become increasingly clear it was unreasonable to expect people to contact one of the regional offices when they lived far away from them.

"We want volunteers, or if necessary paid people, in each town so that the little people who get the thin end of the wedge can get to tell their story," Tutu said.

Commission vice-chairman Alex Boraine said it had been decided to invite all organisations in the country which might have played a role in the conflict of the past to make submissions to the truth commission. They could apply to give evidence to a sitting of the full commission.

Boraine said the decision was aimed at "helping us to fulfil the mandate laid down in the law governing our operations, which is to establish as full a picture as possible of the nature, causes and extent of human rights violations between 1960 and 1993".

He said written submissions could be sent to the commission at PO Box 3162, Cape Town, 8001.

Asked about the meetings between the commission and leaders of political parties, Tutu said they were in the process of setting up a meeting with IFP leader Mzwakhe Sibisi.

SANDF purchases ‘need investigation’

Linda Ensor

CAPE TOWN — Irregularities in the procurement of spares by the SANDF appeared more widespread than originally suspected and further investigations might be necessary, state expenditure director-general Hannes Smit said yesterday.

Addressing the parliamentary public accounts committee on the follow-ups to the 1994 auditor-general’s report, Smit said it appeared that more firms of suppliers might have been involved in the irregularities.

Auditor-general Henri Kluwer expressed concern about the long delay by the justice department in taking action against the culprits and the committee agreed to request a report-back from the department.

In a letter to Smit in October last year, SANDF chief Gen Georg Merring said a private audit firm had conducted an independent investigation into alleged irregularities, extended “to include a number of additional firms’ suppliers who may also be involved.”

“An independent audit firm,” Merring said.

The volume of transactions examined was making the investigation time consuming. “However, the investigation has proceeded to the point where a warrant of attachment in respect of relevant records and books of account of identified firms can be executed.”

The brief given to the state attorney and audit firm specified if irregularities were found, criminal and civil action be brought against firms, individuals and defence force members.

Renter reports that Kluwer also said mine inspections by the mineral and energy affairs department were not scientific and inspectors did not pay attention to some major causes of accidents on SA mines.

A performance audit of the department’s mining safety and inspection procedures showed there was no overall strategic plan to achieve objectives or ensure standards were met.

“Areas which had been identified as some of the biggest reasons for mine accidents — for example poor training of mine workers — did not receive the attention of regional mining engineers during inspections,” the report said.

Corrective steps which might have resulted from inspections had limited impact, because they were applied to areas visited by engineers who “could only make a limited contribution towards general upgrading of standards”. The report said some corrective steps had already been put into place, including efforts to improve training of mining engineers through ‘practical programmes.”
Vaal Reefs locomotive driver ‘cannot be guilty’

STAFF REPORTER

The driver of the locomotive that plunged down Vaal Reefs Shaft 2 killing 104 people last year could not be guilty of culpable homicide, his counsel argued yesterday.

Presenting final arguments during the inquest into the May 10 disaster, Alec Freund said no person in Tsepong Mpota’s position could have foreseen that his actions would have resulted in the deaths.

Freund admitted that Mpota had probably “not made a thorough, diligent check” of all safety precautions. But the locomotive had the capacity to run away on the right because of the binding of certain features of the safety circuit and not because of Mpota’s actions.

G. Ackerman, representing key underground mining officials, said there were no grounds to make a prima facie case against his clients as put forward by counsel for the State and National Union of Mineworkers (NUM).

The Star on Tuesday stated counsel for the NUM had called for “management” to be prosecuted for covering up information vital to an investigation into the accident.

Counsel for the Anglo American Corporation objected, saying “senior officials” had hidden the information from management. The Star apologises for creating any misconceptions.

Police arrest second suspect over massacre of job-seekers

A second man from Toksoa has been arrested in connection with the massacre in Alrode last month in which eight people were killed and 23 wounded, police said yesterday.

“The investigation team dealing with the Alrode massacre has arrested a 25-year-old man in connection with the massacre,” Supt Wilkie Weber said.

The man would appear in the Alberton Magistrate’s Court today, but no further details were available, Weber added.

He did not know if the man was an employee of the NF Die Casting factory. Investigators would continue.

Another suspect, Moses Nkosi, who was employed at the factory, was denied bail when he appeared in court on Thursday over the murders. He was not asked to plead before being remanded in custody to March 13.

Police had still not established a motive for the slaughter of job-seekers outside the factory on January 29, Weber said. – Reuters.

WEATHER

Tel (012) 21-9621 for forecast.

Newspaper
Counsel gives last arguments in mine probe

Reene Gravitzky

The circumstances of an accident in which 104 miners died at Vaal Reefs' No 2 shaft were crucial in determining whether anyone was to blame and whether the accident could have been foreseen.

This was said in argument presented by Vaal Reefs' legal counsel Chris Loxton, instructed by Brink Cohen Le Roux & Rooi, during the closing stages of the joint inquest-inquiry into the Vaal Reefs gold mine disaster in May 1984.

A locomotive fell down the shaft on to a lift cage on May 10, killing 104 miners.

Loxton said that no causal link between the accident and any prior conduct by anyone could be established unless the mechanisms causing the accident could be determined reliably.

The issue of negligence would not be relevant unless such a causal link were to be established.

"An inquiry into causation is logically antecedent to an examination of foreseeability," Loxton said.

"If cause cannot be established, then the question of foreseeability does not arise."

This argument was illustrated by Loxton, who described a scenario in which a motor car collided with another because its brakes failed. It was adequate, he said, "to show that motor cars are generally dangerous and unless they are controlled properly, may injure other road users."

Loxton said what had to be shown was that the driver should have foreseen the brakes might have failed, "leading to a collision. It would also not advance the case to argue that brakes sometimes fail and that accordingly the driver should not have driven the car unless there was no risk that the brakes might fail."

He said the decision about whether to lay charges against a corporation and its employees lay with the attorney general.
‘Act of sabotage’ blamed for mine disaster

BY ADAM COOKE

An “act of sabotage” by an electrician before the Vaal Reefs disaster that killed 104 men last year should be seen as the single most important factor to emerge from months of investigation, according to Anglo American Corporation’s lawyer.

During the penultimate session of the inquiry, counsel for Anglo, Chris Loxton, SC, suggested that electrician Frank Khoza had deliberately circumvented safety precautions on the locomotive. The underground locomotive plunged down No 2 Shaft on May 10 last year, landed on a cage and killed the 104 occupants.

“It was an act of sabotage in which he systematically stripped away safety devices,” said Loxton, stressing that Khoza was directly responsible for the dangerous state of the locomotive immediately before the accident.

He said Khoza’s “reckless act” could not have been foreseen by the mine’s managers, who could therefore not be held culpable.

Loxton, in presenting what Mr Justice Ramon Leon called his “tome” of submissions, based his argument on the legal grounds that, while the mine was running, it was the responsibility of the managers to ensure safety.

Loxton systematically showed how senior officials at the mine gave close attention to their duties and never failed to act with the required diligence.

He said those in managerial positions on the mine were entitled to expect that the mine’s employees would act reasonably and lawfully, rather than vice-versa.

They were entitled to expect that the mine’s standards and safety rules would be obeyed.

He said the safety devices in place at the time conformed to the industry’s standards.

Loxton then went on to implicate the driver of the locomotive, Tsepa Ng Mpatjwa, when he said there was at least prima facie evidence to show Mpatjwa’s conduct was the “proximate cause of the deaths.”

Today is expected to be the last day of summing up.
Mine inquest ends

THE joint inquest-inquiry into the Vaim Reefs mine disaster in which 104 miners workers were killed on May 10 last year when a locomotive fell down No 2 shaft, ends today.

The joint inquest-inquiry was set up to determine whether anyone was responsible and whether anyone should be prosecuted (2,12).

A separate commission of inquiry, agreed to and appointed by President Nelson Mandela and chaired by Judge Ramon Leon, will begin hearing evidence on May 2.

This separate commission will investigate and report on the "steps which can be taken in order to prevent such an occurrence in future or lessen the risk thereof."
Six mine deaths coincide with tabling of safety Bill

Renee Grawitzky

THE National Union of Mineworkers has reacted strongly to the deaths of six mineworkers killed in two accidents at Anglo American's Vaal Reefs No 2 shaft and Western Deep Levels' East Mine yesterday morning.

The union's health and safety coordinator Fleur Filler said last night there had been more than 30 mine deaths since the start of the year.

Like the seven workers killed at Randfontein Estates this month, the three killed at Western Deep were contract workers. NUM said there was a trend of contract workers being involved in accidents because management did not ensure they were trained.

The deaths coincide with the tabling in Parliament yesterday of the draft Mine Health and Safety Bill drawn up by the tripartite mining regulations advisory committee, established in the wake of the Leon commission recommendations into mine health and safe-
Two die in mine

THREE mineworkers were killed and another was injured by a rockburst at Anglo American Corporation’s Western Deep Level Mine near Carletonville yesterday.

In a statement Anglo American Corporation’s Gold and Uranium Division said the corporation regretted the deaths.

The injured man was reported to be in a stable condition in hospital while the names of the dead have been withheld by the corporation until their next of kin were notified.

National Union of Mineworkers (NUM) spokesperson Ms Judith Weymont said the union was concerned about the increasing number of accidents involving contract workers on the mines.

“Most of the recent mine accidents have involved contract workers who are not trained in health and safety,” said Weymont.

NUM was not against the use of contract workers if negotiated and if management explained why they needed to employ such workers.
Six more miners die in two more accidents

BY TED THOMAS

Six miners were killed in two separate accidents yesterday, bringing the number of mine accident fatalities this year to 22.

Three miners were killed in a rockburst at Western Deep Levels' East Mite near Carletonville in the far West Rand early yesterday. Anglo American Corporation spokesman James Duncan said the rockburst, which seriously injured another miner, was caused by an earth tremor measuring 2.5 on the Richter scale and occurred 2,900m below the surface.

Less than four hours later, three miners were killed in a rockfall at Vaal Reefs' No. 2 shaft near Orkney. Three other miners, who were injured during the 8am rockfall, are in a stable condition in hospital.

Duncan said the rockfall, about 2,750m below the surface, followed a tremor measuring 2.6 on the Richter scale.

New mine safety bid
New safety law for mines

BY ROSS HERBERT

Johannesburg — New health and safety legislation with potentially far-reaching effects for South Africa’s mining industry was presented to parliament yesterday by Dick Balder, the acting government mining engineer.

“The new Act will have a strong psychological effect on all the parties and it will bring South Africa in line with the most modern mining legislation in the world,” said Pik Botha, the minister of mineral and energy affairs.

Balder’s second in command, Ken Gudmanz, the acting chief director of mine safety and health, said that the Bill represents a total culture change in the entire mining industry.

The Bill resulted from the 1994 Leon commission of inquiry into mining health and safety, which criticised the industry and the government for shortcomings in mining practice, inspection and enforcement of health and safety rules.

The Bill will result in full-time health and safety representatives on all mines which employ over 200 people.

It also will require worker-elected safety representatives.

See Page 16
Funds approved
for Leon proposals

RENÉE GRÄWITZKY

THE Cabinet has approved the allocation of R29.9m to be included in the financial and energy affairs department's 1996/97 budget for the implementation of the Leon commission's mandatory health and safety recommendations, which were released in March last year.

The implementation of some of the key recommendations was being hampered by the failure of the public service commission to approve the proposed new structure for the mining inspectorate and a new salary structure for the inspectorate, department sources said yesterday.

The commission's recommendations ranged from the drafting of new legislation — tabled in Parliament this week — to the restructuring of the inspectorate and the adjustment of the remuneration of mining inspectors.

The commission noted that the inspectorate was understaffed and that one of the reasons for this was the inadequacy of remuneration packages.

The department's acting deputy director-general, Nick Bredell, said the Cabinet's approval had been put into effect by the state expenditure department. He said the money was available.

Boycott called off after agreement on housing

THE housing department and the SA National Civic Organisation said yesterday they had resolved outstanding issues on housing delivery, and Sanco had called off its boycott on bond repayments.

Housing director-general William Cobcott and Sanco assistant general secretary Lindiwe Mncwamola said after meeting in Pretoria that they would in future focus on extending credit to low-income households and creating a normalised environment for lending.

"The department will approach the Association of Mortgage Lenders to involve Sanco in identifying areas in which the record of understanding could be improved," it said.

Sanco would co-operate with the Mortgage Indemnity Fund and Service to avoid unnecessary evictions.

In addition, Sanco would help formulate the department's housing policy document. Problems with interior structures and mechanisms for dealing with them would also be discussed.

Cobbett said he regretted it had taken so long to establish a sound and co-operative relationship with Sanco.

He would organise a meeting between Sanco and Housing Minister Sankie Mthembu-Nkomo.

Free State local government and housing MEC Ouma Molema said yesterday payments for basic services had improved 6% to 90% in the province.

This "miracle" had produced a 100% payment in Paul Roux, she told a mayors' conference in Bloemfontein to promote the Masakhane Campaign aimed at getting people to pay for the water and electricity they use.

More than 50 Free State mayors signed a pledge to support the campaign during their term of office.
New mining bill hailed

Miners now have the right to refuse to work in dangerous conditions

BY TROY LUND

South Africa's 500,000 miners have hailed the new Mine and Safety Draft Bill as a "victory for labour".

Mining houses agree, saying the new proposed legislation heralds a cooperative and safer era for the industry.

A foreman at the Durban Deep mine in Roodepoort said the "biggest win and largest step from the destruction of apartheid" was the draft bill's provision for miners to refuse dangerous work.

"So many times, miners have known a certain job is dangerous, but have had no choice but to obey instructions. We all took chances to keep bread on the table," said the foreman, who asked not to be named.

To illustrate, he referred to what is considered to be South Africa's worst mining disaster. In 1960 a total of 457 miners were squashed under about 160m of rock when an earth tremor collapsed an incline shaft at Sasolburg's Coalbrook mine.

At an inquiry after the incident, it emerged that before the fatal one and that miners had tried to get out but "were driven back" to continue work. The next tremor killed them all.

Mining houses fully support the need for workers to have the right to refuse dangerous work but fear parts of the bill interfere "excessively with mining operations".

But the National Union of Mineworkers is adamant that mining houses cannot "be trusted to self-regulate".

"If they think some things are too prescriptive then they have brought it on themselves and deserve it," said NUM health and safety co-ordinator Fleur Plummer.

An inquiry into one of SA's worst mine disasters, in which 104 men died at Vaal Reefs gold mine, was provisionally expected to present its findings on April 18. Leon Commission secretary Derek Baker said.

An underground tram plunged down a shaft on top of a lift and both crashed about 450m to the bottom of the shaft, killing all 104 in the cage. - Reuters.

Workers release hospital staff

STAFF REPORTER

The Boksburg-Benoni Hospital on the East Rand is calm and back to normal after a hostage drama that threatened to close all but the intensive care unit and maternity ward of the hospital.

Protesting workers took hospital superintendent Peter Cundram, his secretary, the nursing director and several matrons hostage yesterday.

The workers refused to release them until their demands for higher wages were met.

The protest started at about noon and the staff were released late yesterday afternoon.

Mbeki on poll trail

Deputy President Thabo Mbeki will target miners and rural communities when he hits the campaign trail in KwaZulu-Natal this weekend.

The ANC seeks a turnaround in Indian, white and coloured areas where it fared badly in the 1994 election. The main thrust will be in the Maphumulo district. - Political Reporter.
Mining engineer slams industry over deaths

By Ross Henning

Johannesburg — Dick Bakker, the government's chief safety officer, said yesterday the recent string of mining fatalities were "totally preventable" and called for a special mining industry meeting to present "urgent proposals" today.

Bakker referred to recent accidents which included one death at Kloof on Tuesday and another at Randfontein. Five miners were killed on Monday — three at Vaal Reefs and two at Western Deep Levels. Other fatalities include seven deaths on February 3 at Randfontein, five on January 30 at Blyvooruitzicht and five on February 13 at Vaal Reefs.

Statistics are not yet available for February, but 41 miners were killed in January and a source in Bakker's department said February numbers were looking significantly worse.

"These accidents show that there is a total lack of effective control and lack of standards. I am not saying mine managers are not sincere in their desire to prevent accidents, but it is not translating into effective action," Bakker said yesterday.

Johan Greed, the general manager of technical support at the Chamber of Mines, said "Certainly there have been lots of falls of ground lately. As to the nature of a pattern, I cannot comment."

Fleur Plummer, the head of safety at the National Union of Mineworkers, said "It's irresponsible. They keep saying it's seismic events but all the recent accidents point to lack of training."

Bakker also said regular failures to use proper underground supports called into question the viability of new ultra-deep mining projects.

"How can you go to these great depths and not deal with this problem," he said.

Bakker said he wanted to set up an audit team with the government, industry and unions to identify high-risk mines and conduct immediate safety audits.

He complained that mining research was far ahead of actual practice. Bakker said he wanted to implement the findings of the latest mining safety research as soon as possible and wanted research projects to be more focused on providing immediate safety benefits.

He also wanted to establish an independent system for testing the safety and actual load-bearing capacity of products for supporting overhead rock in underground mines. Falls of rock during seismic events accounted for only about 10 percent of underground fatalities, said one safety expert on Bakker's staff. He said that inadequate supports or the inadequate use of supports accounted for the majority of deaths underground.

"A testing system would prevent every Tom, Dick and Harry from bringing stuff underground without it being tested," said Bakker.

He said a requirement for independent testing would probably require a change in the draft mine health and safety bill now before parliament. In terms of the bill, manufacturers of mining equipment are responsible for its failure, but there is no requirement that supports be independently tested.
'Lack of concern' on mine safety

Renee Grawitzky

A LACK of concern for the safety of mine workers on the part of supervisors and the lack of management systems in place to ensure their safety had been major factors contributing to a recent spate of mine accidents, acting government mining engineer Dick Bakker said yesterday.

Speaking after an emergency meeting of the mine safety committee to discuss the accidents, Bakker said a crisis was developing in the industry. During the first six weeks of the year more than 40 mine workers had died in mine accidents.

The meeting had concentrated largely on investigating ways to prevent deaths resulting from rockbursts and rockfalls.

Bakker said that in recent weeks four accidents involving the deaths of 20 mine workers had occurred as a result of "fall of ground" and rockbursts.

Two of these accidents, which did not involve seismic events, could have been prevented. In both instances there had been "minimal or no management involvement to ensure safety measures were being implemented."

"If the current cycle continues, we will have twice as many casualties this year compared with last year," Bakker said.

Regarding other accidents, he said: "You cannot prevent seismic events but mines can make excavations as safe as possible." The incidence of seismic events in-
Chemical explosion kills man

JOHANNESBURG: An inspector was killed and two artisans were injured yesterday in an apparent vapour explosion at Impala Platinum Ltd’s refinery at Springs, the company said.

One of the two injured was in a critical condition and was airlifted to the private Milpark hospital here to be treated at the clinic’s burns unit, Impala said.

The company said the accident happened during a routine inspection of a sulphur dioxide vessel at the base metals refinery by the three men, two of whom were inside the vessel when the explosion occurred. The inspector died after being unable to climb out of the vessel.

The names of the three have not yet been released — Reuters.
Gold Fields miners escape underground fire

Renee Grawitzky

A MINE disaster was averted this week when 104 mine workers at Gold Fields’ East Driefontein gold mine evacuated successfully to refuge bays underground after a fire broke out 2200m below the surface.

Gold Fields said yesterday that proto teams worked throughout the night to bring the affected workers to further safety and then to the surface.

Sources claimed that if the mine workers had not been trained properly they would have run in all directions and not have entered the refuge bays.

NUM spokesman Judith Smit said in this instance, training had "played an important part and good use was made of the refuge bays".

Gold Fields said the cause of the fire was still unknown and the effect on production at No 1 subvertical shaft could not yet be assessed.
Job creation a part of IFP’s manifesto

Farouk Chothia

DURBAN — The IFP election manifesto for KwaZulu-Natal advocates the formation of a business commission to spearhead job creation at local level and proposes that state land be hived off to the private sector.

The manifesto proposes forming crime commissions to combat criminal activity, and the extension of the SAPS reservist system "to allow for local authority volunteer reserve systems".

The manifesto also commits the IFP to a referendum on whether the death penalty should be reintroduced.

The eight-page manifesto, sent to IFP branches, has not been officially unveiled to the public. The IFP is expected to launch its campaign for the May 29 election in the next few weeks.

The manifesto states local authorities would take the initiative to create opportunities for disadvantaged communities with business plans aimed at boosting local economic activity, and by reducing "unnecessary red tape which inhibits business activity".

The business commission would encourage the "structured" development of tourism to create employment without "adversely impacting on the environment; secure sites for small businesses at low or deferred charges; implement preferential rating systems for vocational and educational institutions; and identify areas where deregulation would increase efficiency.

The manifesto refers to a single business commission, but the IFP is believed to envisage a commission for each of eight regional councils. In the case of the crime commissions, the manifesto states they would be established in every local authority to "monitor and report on criminal activity in a co-ordinated and comprehensive manner, and to produce effective programmes to combat crime".

Other proposals on crime are tougher sentences; stricter bail conditions, police salaries to be commensurate with responsibility and value of the profession, and removal of officers from desk work to do "active" policing.

The manifesto says that local government has a role to play in resolving historical disparities in land distribution and in maximising the use of available land. Local authorities should be bound "to provide formal justification for any land vacant. If a satisfactory explanation is not provided, the land should be offered to the private sector".

"Massive potential can be unlocked by harnessing currently redundant or unproductive land held by the state or its agents, " the manifesto says.

However, IFP-controlled local authorities would "reinstate attempts by central government to nationalise communally-owned land" as the IFP believed "development of this land must be vested in communities themselves".

Traditional leaders’ council law rejected

Tim Cohen

CAPE TOWN — Legislation was tabled in Parliament yesterday to circumvent difficulties in the creation of a national council of traditional leaders.

The legislation was rejected by the IFP, mainly because it would prohibit council members from simultaneously holding seats in regional and national parliaments.

The creation of the council is provided for in the constitution, but its establishment has been delayed because the formation of regional councils has been stalled in some provinces by infighting among traditional leaders. Legislation requires that all regional bodies have to be established before a national body can be formed. Council members are elected by an electoral college drawn from the regional houses.

The Council of Traditional Leaders Bill circumvents this problem by providing that each house nominate three members to sit on the national body.

IFP MP Walter Felgate said the prohibition on council members serving as MPs or members of any provincial legislature was one reason for his party’s opposition. The provision would, for example, exclude Inkatha leader Mangosuthu Buthelezi from the council.

Felgate said discussions aimed at formulating rules for the working of the council had started last year. The rules had been endorsed by the parliamentary constitutional affairs committee.

But the legislation contradicted several agreements, including an agreement that members of the council did not have to belong to regional houses. The legislation included other clauses not previously agreed, Felgate said.

Mining ‘not for women’

ANC members agreed on one thing yesterday — women should not be allowed to work at the “coal face” in SA mines.

However, they faced opposition from their own colleagues in the mineral and energy affairs committee during a briefing on the new Mines Health and Safety Bill.

Government mining engineer Dick Bakker, briefing the committee, said that women were no longer prohibited in the new legislation from working underground.

He explained that in the past it was specifically outlawed for women to go below the surface unless they were in an administrative capacity or for research purposes.

The ANC’s Ismail Mohamed remarked that women were clearly genetically different from men and should not be allowed to work underground.

Elizabeth Thabethe (ANC), the only woman MP present, said she prevented women from working in mines would be a breach of the constitutional freedoms which they now enjoyed.
Govt plan to break mining stalemate

Wyndham Hartley

CAPE TOWN — Parliament’s mineral and energy affairs committee will attempt next week to break a deadlock between mine owners and unions on a proposal that mine managers be required to prove they were not responsible in the event of an accident.

The National Union of Mineworkers (NUM), the Chamber of Mines and the mineral and energy affairs department, sitting in the mining regulations advisory committee, have been unable to resolve the deadlock over labour’s insistence that the onus be on mines to prove they have not been negligent.

Government mining engineer Dick Bakker told the committee yesterday that the Mine Health and Safety Bill, based on the recommendations of the Leon commission on mine safety, created tough new measures making mine owners responsible for safety and health in and around mines.

In addition to insisting that owners, through their managers, make all necessary safety and health facilities available, there is a “vacuous responsibility” clause which makes the manager and the owner responsible if mine workers do not comply with the provisions of the legislation.

Owners through their managers will, if the legislation is approved in its current form, be required to ensure conditions for safe operation and a healthy working environment. Even mines that are not being worked will have to take reasonable steps to prevent injuries, ill-health and loss of life.

Bakker said that if the legislation had been in place at the time of the Marmatie shafts dam disaster, mine management would have been held responsible immediately. The legislation makes the area and environment around the mine the responsibility of the mine as well.

The legislation also gives mine workers the right to leave their workplace when there is reasonable risk that conditions pose a serious danger to their health and safety. Bakker said this would bring SA’s mines in line with international practice.

He told the committee the legislation would beef up the inspectorate’s powers, allowing almost unfettered powers of search and seizure without a warrant, the questioning of anyone on any matter related to operation of the legislation and the examination and copying of any document related to mine safety.

A mine inspector will, if approved, be given the power to shut down a mine or a portion of a mine if he believes conditions endanger health and safety.

The mine manager has the right of appeal to the mines chief inspector and the Labour Court.

Committee chairman Marcel Golding (ANC) told the committee it would accept submissions from interested parties this week. Parties had been asked to make submissions and supply draft amendments for inclusion in the legislation and could give evidence to the committee next Tuesday.

Golding said he hoped that the Bill would be finalised by March 14 and ready for debate on March 19 and 20.

Mine safety

Continued from Page 1
Mine inspectorate decision pending

Linda Ensor

CAPE TOWN — The Public Service Commission would this week take a decision on the formation of an independent inspectorate to monitor health and safety in the mining industry, commission director general Lucas Stoop told the parliamentary public accounts committee yesterday.

The recommendations for the establishment of the inspectorate within the government mining engineer's division were presented to the commission in September. Stoop's undertaking to give the commission's response by Friday concerned the numbers of inspectors which it would allow, and the level of their remuneration.

Mineral and energy affairs committee chairman Marcel Golding said an independent inspectorate manned with professional staff who were paid adequate salaries was vital to give effect to the Mines Health and Safety Bill tabled in Parliament this week.

He said the Bill brought SA into line with international standards on health and safety, and gave workers the right to refuse to work in dangerous conditions, the right to training and the right to obtain information.

The confusion of health and safety issues with the regulation of mineral exploitation and land rehabilitation issues in the same Act was regarded as detrimental and would be redressed by the proposed stand-alone Mine Safety and Health Act.

The formation of an independent, well-paid inspectorate was recommended by the Leon commission of inquiry into mine safety and health and was accepted by cabinet but awaited approval by the commission.
532 died in rockfalls and other accidents on SA mines last year

BY JUSTICE MALALA
AND TARYN LAMBERT

At least 60 miners have died since the beginning of the year in rockfalls and other accidents. The toll might have been much higher if the 104 miners trapped at the East Randfontein gold mine in Carletonville last week had not all been rescued. They were trapped 2 000m underground after a fire broke out.

The workers were saved by entering specially prepared refuge bays. Had they not been trained, they might have ignored these and instead run helter-skelter when the fire broke out, thus resulting in death or injury.

According to the Department of Mineral and Energy Affairs, 41 people were killed in mines in January alone. According to the Star's records, 19 miners died in February.

Last year 532 people were killed in mines, while 551 were killed in 1992, 586 in 1993 and 486 in 1994. Last year's major disaster occurred at Vaal Reefs' number two shaft, where 104 people were killed on May 10.

NUM spokesperson Judith Weymont said a considerable number of the accidents, particularly those related to rockfalls, were avoidable. "A number of this accidents have been attributed to rockfalls and these are avoidable if there is enough roof support in the work area."

The mining industry must address the problem of rock mechanics as a matter of urgency and improve on mine planning and layout as well as basic things like basic roof support systems," she said.

Department of Mineral and Energy Affairs research deputy director M J Brand said the mining industry's major accidents on gold and platinum mines are falls of ground and those related to transportation problems which may include underground locomotives or transportation of raw materials.

Accidents related to transportation are the most common in diamond, platinum and all other mines. This is followed by machinery problems and falls of ground.
Harmony found guilty of culpable homicide

OWN CORRESPONDENT

VIRGINIA — Harmony Gold Mine was found guilty in the Virginia Regional Court yesterday of culpable homicide relating to the 1994 Mneespruit slimes dam disaster, while three of its employees were found guilty of contravening the Minerals Act.

Harmony, represented by director John Berry, pleaded guilty yesterday to the charge. Former GM Dan Jordaan, metallurgical manager Johan Mouton and acting plant superintendent Wayne Hatton-Jones also pleaded guilty.

The three are the last of eight accused employees from Harmony and Fraser Alexander, the construction company that built the dam. An inquiry last year found them responsible for the disaster.

The State withdrew all charges against Harmony plant foreman Ronnie Bantjes as well as charges of culpable homicide against Jordaan, Mouton and Hatton-Jones.

The trial was split earlier when Fraser Alexander pleaded guilty while Harmony planned to plead not guilty. Seventeen people were killed when mud flooded the small mining town of Mneespruit.

Harmony's legal representative Adv Frans Berry argued that Fraser Alexander was appointed to do contract work for the mine which fell outside the parameters of normal mine expertise. Fraser Alexander was appointed as a specialist to maintain the dams on Harmony's behalf.

Berry gave evidence that R55m in claims against the mine had been handled to date and about 95% of these had been finalised.

Adv Jannie Botha represented the State while Adv Leon Bekker represented Fraser Alexander.
Malan trial witness tells of secret camp

Mine authorities call for a reprimand of safety Bill

Wynham Hatley
Gold mine admits culpable homicide.

Virgina - The Harmony gold mine yesterday admitted guilt on a charge of culpable homicide relating to the Memrispruit slimes dam accident in which 17 people died two years ago.

The State withdrew charges of culpable homicide against former general manager Dan Jordaan, metallurgical manager Johan Mouton and plant superintendent Wayne Hutton-Jones. Charges were also withdrawn against Hutton-Jones' assistant, Ronne Bantjes.

Jordaan, Mouton and Hutton-Jones have admitted that they contravened article 37 of the Minerals Act.

The case in the Virgina Regional Court continues - Sapa.
Harmony fined R120 000 for disaster

Own Correspondent

VIRGINIA — Harmony Gold Mine, convicted of culpable homicide for the Mernespruit dam disaster in which 17 people were killed in 1994, was fined R120 000 in the Virginia Regional Court yesterday.

The disaster occurred when a dam built by Fraser Alexander burst its banks in February 1994, flooding Mernespruit with sludge.

In December Fraser Alexander was fined R120 000 and two employees R25 000 and R15 000 respectively.

Passing sentence yesterday, Regional Court Magistrate M Loubeer said he had taken the sentences imposed on Fraser Alexander and its employees into consideration.

He said it was a miracle there had not been greater loss of life.

After the court adjourned Harmony director and legal adviser John Berry said he believed justice had been done although no fine could bring back those lost in the disaster.

He gave the assurance that the mine would do everything in its power to upgrade the suburb.

Upliftment

Harmony had recently paid R4.6m to the Virginia municipality as a contribution towards the upliftment and improvement of facilities and infrastructure of Mernespruit.

Fraser Alexander and the mine have also set up a joint fund worth R10m to settle civil claims for uninsured property losses arising from the dam disaster.
Slimes dam tragedy: mine and 3 workers fined

BY SHIRLEY WOODGATE
AND SAPA

Virgina — Fines totalling R151 000 were imposed yesterday on Harmony gold mine and three of its employees in connection with the Mernespruit slimes dam disaster which claimed the lives of 17 people two years ago.

Virgina magistrate Manie Louw gave fines of R120 000 to the mine, R15 000 to former mine manager Dan Jordan, and R15 000 to the mine's metallurgical engineer Johan Mouton and plant supervisor Wayne Hatton-Jones each.

The mine admitted guilt on Tuesday on a charge of culpable homicide relating to the disaster, and Jordan, Mouton and Hatton-Jones admitted they had contravened article 37 of the Minerals Act.

Engineering company Fraser Alexander, which was responsible for the dam's maintenance, was earlier fined R150 000, its regional managers Frikkie Botha and Theuns Linde were fined R30 000 and R25 000 respectively, and foreman Adam Uys was fined R15 000.

In addition to the 17 people who were killed when the slimes dam wall above Mernespruit burst and engulfed the suburb in mud, destruction estimated at R50 million included damage to 359 houses, 119 of them destroyed when 600 000 cubic metres of sludge raced through the 2km stretch to the spruit at 60km/h.

Virgina town clerk's secretary Luky Whittle estimated the losses of 3 500 people were touched by the tragedy.

Asked today if the fines were too light for the crime, one resident after another revealed that the most of initial outrage against Harmony gold mine had given way to a desire to resurface and get on with normal living.

“Do you evaluate a life?” asked Kevin Charwood, who was mayor of Mernespruit at the time of the disaster.

“Now that it has happened, what matters is not the punishment for what happened but getting lives back together.”

“We know it was not deliberate negligence and we know that if the mine knew then what it knows now, that it would have gone to any lengths to prevent the catastrophe,” he said.

Many people have been compensated financially, others still wait for payment.

“What this final court case means is that it is all over,” said Charwood. “Many houses have been rebuilt and the brightly painted homes are an improvement on the drab old facade.

“The council decided this week to demolish the last of the remaining houses which were damaged beyond repair.”
A ROCKFALL at Leeso's Tabankadu coal mine in the Northern Province killed a miner and trapped another three, in the latest mine tragedy to hit the region.

The disaster happened after a coal-cutting machine operator, trapped underground with the miners, managed to free himself and send a radio signal to rescuers. The rescue team was sent into the mine to free a miner who was trapped after an earlier incident. Joe Meyer, the first-responder manager, said the first incident occurred at 11:30am yesterday when the miner, a coal-cutting machine operator, was trapped underground. He said the miners were being treated at the local hospital and that they were still trying to free him.

"At this stage we are not sure if he is above or below his team," Mr Meyer said. "The search and rescue operation is being hampered as a result of the unstable condition of the mine, which is still not in operation."

The mine produces around 88 percent of Leeso's coking coal, which is needed to power the group's steelworks.
Trapped miner still alive after 10 rescue workers die

Renee Grawitzky
and David Mckay

A TRAPPED mineworker was still alive underground last night after 10 members of a team trying to save him were killed during a rockfall at Iscor's Tahikondeni coal mine in Northern Province on Monday.

The miner, an operator from one of the coal-cutting machines, was trapped 190m underground on Monday morning after a rockfall. Rescue workers, attempting to free the miner, were killed when the roof collapsed.

Iscor said last night contact had just been made with the trapped miner.

The National Union of Mineworkers said Monday's accident was "an example" of a continuous shift miner operating in a section under a large span of unsupported hanging wall which had not been roof bolted.

Iscor's spokesman Ernest Webstock said the causes of the accidents were still unknown and the mine inspectorate was conducting an in loco inspection at the mine.

Iscor's CE and executive chairman Hans Smith said he doubted human negligence had led to the accident. "The rock formation is difficult to predict and safety procedures seem to have been strictly adhered to," he said.

Smith said this was the first fatal accident at the mine since it started production in 1984.

"It was our flagship mine in terms of its safety record, which makes the tragedy all the more intense," he said.

Mine accident statistics reveal that deaths on coal mines contributed to a small proportion of deaths in the mining industry.

Last year 413 deaths were reported on SA gold mines compared with 26 on collieries. During the first two months of this year four people were killed on collieries compared with 70 on gold mines.

NUM health and safety co-ordinator Fleur Plimmer argues, however, that collieries employ far fewer workers than gold mines and comparatively the fatality rate per 1 000 workers at collieries was not good.

Smith said production at the mine would not be halted as an underground surface area of less than 5% had been affected by the rockfall.

"Only a small section of the mine has been affected which accounts for only 6,6% of Iscor's total coking coal requirements," he said.

Tahikondeni coal mine produces 300 000 tons of coking coal a year which is railed to Iscor's Vanderbijlpark steel works — its main client.
10 killed as mine roof collapses

Sowetan Correspondent and Sapa

Ten miners were killed in an accident at Iscor's Thokoza coal mine in Northern Province on Monday afternoon.

Iscor spokesman Mr Ernst Webstock yesterday said that a roof collapsed on a rescue team sent to help a coal-cutting machine operator who had been trapped after a rockfall.

"In an attempt to free the trapped miner, a rescue team was caught in another collapse of the roof and 10 people were killed," Webstock said. The operator was still missing yesterday.

The colliery, in the far northeastern part of the province, about 10km from the Kruger National Park, produces about 6.6 percent of Iscor's coking coal needs.

Airlifted

SA Air Force spokeswoman Lieutenant-Colonel Laverne Machine said seven injured people were airlifted to Messina Hospital on Monday night.

"Rescue operations are being hampered by the unstable condition of the mine, which is still caving in," she said yesterday.

Rescue operations began on Monday afternoon.

Two SA Air Force Oryx helicopters from 19 Squadron in Louis Trichardt were called to assist with rescue operations.

First casualties

Machine said the first casualties were transferred to Messina Hospital at 10pm on Monday night.

The scene at Messina Hospital late on Monday night was chaotic, according to a hospital spokesman.

"A number, I honestly don't know how many, were transferred to Pretoria's Hospital after stabilisation and today we only have three patients from the mine," Machine said.

She added that a doctor was still at the mine yesterday and she did not have any more information about injuries or fatalities.
Miner killed in rockfall 932m underground

JOHANNESBURG - A miner was killed in a rockfall at JCI's Randfontein Estates while replacing wire mesh on a roof 932m underground in Cooke 2 shaft. JCI corporate affairs manager Mark Gonsalves said an inquiry was underway, he added. Seven contract workers were killed at the same mine on February 2. The National Union of Mineworkers claimed yesterday's accident occurred in exactly the same way as last month's - Sapa
By CHARLES MOGALE

NDIALA MAMPHODO huddled for 37 hours in the seat of a crane 200 metres underground this week — praying and waiting for death.

But when death came it claimed ten of his colleagues who were trying to rescue him.

Mamptho (30) this week told City Press of his ordeal following a mine disaster at the Tshikondeni coal mine 85 km from Tshingwelo.

On Monday at 7:30 am he was underground to operate a cutting machine. There was no sign of a threatening collapse.

"At about 11.30 am I heard a miner screaming — and with a roar rocks fell around me," said Mamptho.

He told me to hold the crane. I would have been crushed — but the fall crushed the roof of the crane, forcing me into a huddled position.

Through cracks in the rock barrier he could see the first rescue team. They began pumping air to him with a compressor and desperately tried to reach him.

It was very dangerous, the efforts caused more rock falls. A rock fell on my chest — pinning me down.

Then there was silence. Mamptho was unaware that 10 of the men — among them some of his best friends — had been crushed to death by rocks.

"One of the rescue team, my friend Rambui Maseko was trapped near me. I called out to him to pray — and he managed to crawl out somehow."

Hours crawled by while Mamptho sat in darkness and screaming hurt. He tore off his clothes and told himself "If I die, call me so that I will hear a teller of lemonade," he said.

"I told them I just don't want my wife and kids down here," he said. He had not seen them on Monday morning.

A specialist mine rescue team from Natal arrived and sent down Mamptho's brother Joseph as a "shift boss" to pass him a hammer and chisel. He could only chip away some rock to sit more comfortably.

After the team had fueled three times to blast him free of dynamite, he asked them to cut off part of the cramp with a cutting torch.

"They passed me a wet blanket to shield myself. It was rocky. The torch ignited the coal I would burn to ashes. I felt hot and was drenched enough for me to be pulled through," Mamptho said.

He was airlifted to a hospital in Pretoria — where he learned about the deaths of his ten colleagues.

"I tell them they saved my life. They saved my life, they saved my life," Mamptho said.

"I'm so happy. They're all dead," said Mamptho, hugging his name with a hug.

"Of course I went back underground," said Mamptho. "It's my job — and I love it."

By WALLY MBHELE

"AN ALLEGED Portel song b — South Africa has new people," a source who was that Dlamini had been to an alleged plot. "But before his death, he had to..."

"Rocks drug that..." Dlamini, also known as "Mandela," was also planned to be... of a businesswoman, a source in India and City Press source who said that the plot..."

"Dlamini was given two days to "just do it."

"The plot is..."

Police ignore girl's plea not to shoot her brother (12)

By PEARL RANTSENG

THE PLEA of a 12-year-old theft suspect's sister to a white police man not to shoot her brother fell on deaf ears.

"Please, don't shoot at my brother," screamed Elizabeth Ngweno.

But the policeman shot Tankosto Ngweno through his left shoulder blade, killing him.

Six white policemen went to investigate a theft charge at Tankosto's new farm home in Meyerton.

The boy, together with three others had allegedly stolen toys, washing powder, bicycles, cutlery, dinner sets and calculators from a auctioneer in Meyerton.

Tankosto's friend, Motazina Phiri, re-counted the incident.

He said last Sunday afternoon he, Tankosto and two other boys went to a dumping site in Meyerton.

On arrival Tankosto and the two other boys went into the yard.

A few minutes later, the three came out with plastic bags full of goods.

"They had stolen what they had in the plastic bags," Tankosto explained to him. "We had stolen the items and that's how they were caught."

The man would not believe him and said they had to wait for him. He then went to phone the police Tankosto ran away.

Motazina said "In a few minutes the man came back with the police who took me to the police station."

Three five policemen ordered him to take them to Tankosto's place.

Motazina said on arrival at Tankosto's place they knocked on the door. Tankosto tried to run away.

"My hu not fly" By JEFFERSON

SHE REPORTED all ages but Mandla... the police for the "S" Stihoba's husband Azaman Pogoo "medical practitioner", his red BMW on "S" Stihoba's interview people who were the "hu" dinner persons."
Ten men, three of them senior managers, had been crushed to death in a rock fall as they worked to rescue a trapped colleague. The night-shift mining community was devastated.

Underground

36 Hours

Survivors, Fissler, Fambula, Mupando, and Nkwanzi, who were in hospital.

(212) 573/1196

On the night of the disaster, 36 hours earlier, Mambando was at work, helping to dig the tailings. He was the first to realize something was wrong. "I saw the rock fall," he said. "It was a big rock, I don't know how it happened."

A tale of three. The survivors讲述了 warned their colleagues that the mine was unstable. They were right. The rock fall was just the beginning. A whole section of the mine collapsed, trapping dozens of workers. The rescue efforts were a race against time. Days turned to weeks, as the survivors fought to save their friends and colleagues.

The mine was closed, and an investigation was launched. The community mourned their loss, and the wider world was shocked. The mine was a symbol of the dangers of mining, and the need for better safety measures.

The survivors were hailed as heroes, and their courage was an inspiration to others. They were a testament to the human spirit, and their bravery will be remembered for generations to come.
SAFE AT LAST ... an exhausted Daniel Mampophlo is escorted out of the mine. The picture at the top of the page shows him in his coal-cutting machine.

was balancing the now desperate need to rescue Mr Mampophlo against the safety of the entire mine.

Fire and explosions are greater risks in a coal mine than the dangers of falling rock. Ever-present methane gas can be ignited by a single spark and fires can rage and spread into the coal seam in seconds.

A man's life was at stake, we had to take the chance," said Mr Meyer. "We took boxes in and brought in large numbers of fire extinguishers. We passed a hosepipe to Daniel and gave him wet blankets to protect himself from the sparks just before 10pm, a hole was opened large enough for Mr Mampophlo's head to be seen. At 11pm he was free. His only injury was a crushed finger. "When they brought me out, many people, including members of the families of the men who died, were waiting to welcome me. I could only wave. I want to speak to the families of those who died. I know that these men were my friends. They were prepared to do anything to save me."

The dead men are: Alex Bantjes, 24, head of training and development, Alfred Dedemann, 44, mining manager, Petrus Kliesens, 51, head of safety, Mmbengeni Mamathe, 26, truck operator, Thululuthwani Matshwane, 59, general worker, Hendrik Naude, 26, fitter, Mbangani Ntshilane, 35, leader operator, Thobela Ntsheliso, 26, electrician, Ratshibavuyo Tsatsatsatsatsa, 30, general operator, and Lebogang Ranwabwana, 30, truck operator.
The Minister for Safety and Security

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New safety body to advise Gencor

Renee Grawitzky

IN WHAT has been hailed as a bold initiative from labour and a first in the mining industry, Gencor's board of directors has appointed a subcommittee which includes labour representation to advise the board on health, safety and environmental issues.

The subcommittee, headed by Gencor director and CEO of Engen Rob Angel, met for the first time last month to consider and review Gencor policy on the three issues.

The subcommittee includes experts in these fields

Subcommittee member and head of the National Union of Mineworkers' health and safety unit, Fleur Pimmer, said yesterday this represented a "bold and positive move on the part of Gencor."

"The challenge to the union was to see if it could make a positive contribution to health and safety management," Pimmer said.

The first meeting provided the union with an insight into developments at Gencor and into areas where attention was needed.

The subcommittee, besides reviewing current policies, would evaluate Gencor's position with regard to international trends and practices, and "investigate incidents of non-compliance and major risk exposures", she said.

The subcommittee would also monitor Gencor's performance in regard to compliance with legislation and in terms of health, safety and environmental responsibility in accordance with stated goals and objectives and the adoption of acceptable industry practices.

Meanwhile yesterday, the mineral and energy affairs department said a three-year cadet training programme for mining inspectors, run in conjunction with the Witwatersrand Technical College, was "on track".

The Cabinet, in the face of a shortage of inspectors, approved funding of about R80m to train more. The department approved the appointment of 50 trainee mine inspectors at the beginning of the year.
Poor pay keeps mine safety inspectors away

The inquiry into the accident at the Vaal Reefs mine in 1995 revealed some shocking shortcomings in mine safety. But little appears to have changed in the industry since then, reports BRONWEN JONES.

In one dating back to 1982, Andries Tautu wrote in an Association of Mine Managers of SA discussion document that there was a need to make provision for the installation of suitable car overload devices in order to protect the shaft from runaway hoppers and cars "and in particular from runaway locos".

And yet, at Vaal Reefs in 1977 a locomotive ran out of control on level 45 and fell down the shaft. In July 1972 four female cars fell down number two shaft in December 1992 a male car fell down a subshaft, also at number two shaft.

A report compiled for the mine in November 1994 by the consulting firm Woot Reeks wrote "In my opinion the arrestors (to halt runaway cars) are insufficient on the banks and stations"

A report compiled for replacing "aeroplane sprang" and the farm gate was "open". A report compiled in January 1986, said the farm gate was "open" and the "horizontal bar in the farm gate had not been there in the 15 years he had worked on the shaft".

If, as was alleged, electricians at the mine could freely cheat during tests, then the quality and culpability of their immediate superiors could be called into question. Anglo American has not felt able with the death toll yet at 15, the mine had been closed down. The mine then took the locomotive down the shaft.

The locomotive fell, the mine employed 750 men. Before the deaths there had been many other incidents, including deaths and injuries in April 1995 because of tensions between Xstrata and Sotho workers. The deaths are as much a part of South African mining, a death due to faulty equipment or rock falls because the level of pay, accommodation and the workers are the employer's choice.
State advisers water down Bill on mining

Linda Ensor

CAPE TOWN — The controversial proposal in the draft Mine Health and Safety Bill, which places the onus on mine owners and managers to prove their negligence was not the cause of a mining accident, has been watered down by the state’s law advisers.

Despite strong objections by labour, the government mining engineer Dick Bakker proposed that instead of shifting the onus, the onus of proof on the state should rather be lowered.

The Bill is being discussed by the parliamentary mineral and energy affairs standing committee, which has yet to decide on this clause.

The Chamber of Mines and mining houses such as Gencor strongly objected to the reversal of onus, saying it was “totally unacceptable” and unconstitutional in that it overturned the presumption of innocence. The National Union of Mineworkers, however, argued that this was necessary if the safety provisions of the legislation were to be enforced.

Bakker proposed that the nature of the proof required be changed from “beyond reasonable doubt” to “on the balance of probabilities” without shifting the onus entirely on mine owners and managers to prove their innocence.

The balance of probabilities test would apply to the issue of negligence only, with all other elements of the charge having to be proved beyond reasonable doubt.

Bakker said most mining accidents were caused by a lack of proper systems and training, but the attorney-general often turned down recommendations for prosecution, saying the cases could easily be defended by employers.

Employers could say they took some steps, such as providing training or installing systems, which would give rise to the reasonable doubt about whether these steps were sufficient to prevent the accident, Bakker said.

He noted that the proposal had been discussed with Judge Leon, who chaired the commission of inquiry into mine safety Leon, after talks with constitutional experts, had said he “could live with this”.

Law adviser Halton Chedle said the statute was intended to get mine owners to install and maintain safe systems.

Regarding the other controversial provision for “vicarious liability”, which would make mine owners and managers responsible if mine workers did not comply with the provisions of the legislation, Chedle said he was persuaded that “there is no good reason for the inclusion of a criminal vicarious liability provision”.

The Bill’s other clauses provided sufficient liability for negligence, he said.
Mine owners object to clause in Bill

It will be easier to convict owners of negligence after accidents

By Waghied Misbach
Political Reporter

T WILL now be easier for the state to convict mine owners and managers of negligence after a safety accident, according to the new Mine, Health and Safety Bill agreed on in Parliament yesterday.

Despite vehement objections by the Chamber of Mines, which sent a strongly worded letter on Monday to the parliamentary portfolio committee, all the political parties agreed to include the clause in the new Bill.

Offences under this clause carry a maximum penalty of one year’s imprisonment.

This now means that the state can presume that the owners or managers of a mine are liable for a safety and health accident.

It is now up to owners and managers to prove their innocence.

In its letter, the Chamber of Mines said the principle of making it easier to convict mine managers and owners is an “extremely serious policy decision”.

“Such a step is considered to be wrong and potentially very harmful to all parties”.

The letter said that a number of countries abroad did not include this kind of provision in their legislation on mining health and safety.

Rejected examples

However, the law firm of Professor Malcolm Cheadle (a portfolio committee member) rejected these examples in a letter to Marcel Golding, chairperson of the portfolio committee.

Calling the chamber’s statements “misleading and incorrect”, Mr Brendan Barry, a spokesman for the law firm Cheadle Thompson, Haysom said that a number of countries had similar clauses.

Barry cited the examples of the United Kingdom, Canada and New Zealand.
Call to prosecute over mine disaster

Johannesburg - An inquest and inquiry into the disaster at the Vaal Reefs gold mine last year, in which 104 people were killed, recommended today that the mining company be prosecuted for culpable homicide.

Mr. Justice Ramon Leon, who headed the inquiry and joint inquest into the disaster in No. 2 shaft near Orkney on May 10, also found that acts and/or omissions by five employees amounted to culpable homicide.

Delivering his report in Johannesburg, Judge Leon said the Vaal Reefs Exploration and Mining Company was liable for prosecution for culpable homicide.

He said the mine manager at the time, J K Muir, had been negligent in his duties but this did not amount to culpable homicide.

Sooner after the report was delivered, the president of the National Union of Mineworkers, James Motlana, said Judge Leon's judgment was straightforward and he had clearly found the mine guilty - Sapa.
'Crucial information was not disclosed'

Prosecute Vaal Reefs, inquiry urges

Renee Grawitzky

A joint inquest-inquiry has recommended that Vaal Reefs mine and five of its employees be prosecuted for culpable homicide following the death of 104 miners last year.

Judge Robert Lemon, chairman of the joint inquest-inquiry into the disaster at Vaal Reefs No 2 shaft on May 10, and two assessors, Arnold McKenzie and Mark Hermansz, presented the report yesterday. It urges the attorney-general to prosecute two contract workers from Concord, an underground electrician, the shaft mine overseer and the section engineer.

Tepepaang Mpota, the driver of locomotive S4B which crashed down the shaft, landing on 104 workers, will not face charges of culpable homicide. He was found negligent for contravening section 37 in the Minerals Act because he endangered the safety of employees. However, "while his negligence was one of the direct causes of the accident, he is not guilty of culpable homicide because a reasonable person in his position would not have foreseen the possibility of death."

The report found certain employees failed to disclose crucial information about the safety of the locomotive to the police, mineral and energy affairs department officials and mine management, despite knowing about this before the accident. A senior employee had also tampered with documents before giving evidence.

The National Union of Mineworkers president James Motlati said: "We have always said responsibility for health and safety rests with mine management. The union indicated that it would launch civil action against the mine on behalf of the families of the deceased.

Anglo American gold and uranium division chairman Bobby Godsell said: "Management fully accepts its responsibility for designing and maintaining safe mines," but all employees and unions had to play a role in ensuring safe work practices.

Godsell called for a meeting on safety with all unions to examine ways of fully involving employees in safety management systems.

Government mining engineer Duck Bakker said: "Justice must now take its course. However, we are pleased that Vaal Reefs will be prosecuted as there are far more causes for the disaster than negligence by workers."

The ANC said responsibility for ensuring compliance with safety regulations was not management's alone, but had to involve all stakeholders.

The inquest-inquiry had to determine amongst others whether the

Continued on Page 2

Vaal Reefs

Continued from Page 1

Deaths were by any "act or omission of a person face involving or amounting to an offence on the part of any person."

The judge found there was prima facie evidence that the death could have been foreseen and that a reasonable man in the position of those to be charged would have guard against that possibility.

They failed, however, to take reasonable steps.

Certain employees failed to take heed that such an accident could occur, despite a similar accident in 1992 when a locomotive under power entered the mine shaft. In addition, they and the mine failed to install adequate safety devices to prevent this accident.

Leon said one of the direct causes of the accident was not the design of the proper safety device but the absence of an R60 stop block which was being installed.

The accident was the result of several causes, including the fact that the locomotive was parked in a prohibited area; the electric circuit was damaged to such an extent that it would have run away at the slightest touch of the control lever; the negligent act and omissions of the driver, and the absence of adequate safety devices which would have stopped the locomotive entering the shaft.

Several indirect causes were mentioned, including non-compliance with rules; insufficient training, and weaknesses in communication and demarcating responsibilities on the mine.
Vaal Reefs likely to face years of legal wrangling

BY ROSS HERBERT

Johannesburg — Years of legal wrangling will be just one consequence of Judge Ramon Leor's recommendation yesterday that Vaal Reefs Mining and Exploration be prosecuted for culpable homicide over the disaster that killed 104 workers last May.

After Leon's finding, Anglo American called for a summit meeting with all its mining unions to try to improve mine safety. Meanwhile, the NUM vowed to begin civil lawsuits against Vaal Reefs, its managers and its officers.

"We won't wait for the outcome of criminal cases," said Brendan Barry, an attorney at Cheadle Thompson & Hayson, which is representing the NUM.

"The findings and evidence is damning and the company will have to decide whether it wants to defend itself or settle in civil cases."

If the company is prosecuted and found guilty of culpable homicide, its directors could also be personally charged with the same crime. Potentially they could be sentenced to jail terms under the Criminal Procedures Act.

Dick Bakker, the acting government mining engineer, said breaches of the Minerals Act would also be prosecuted, including the midnight meeting after the accident where employees and managers allegedly modified records and log books.

"Management fully accepts its responsibility for designing and maintaining safe mines, but all employees must and must play their role in ensuring safe work practices each and every shift," said Bobby Godsell, the chairman of Anglo's gold and uranium division.

Bakker said the accident was more severe than most, but it stemmed from the same weak management, poor conformance to standards and neglect that characterised accidents across the industry.

CT News has the industry's safety record changed as a result? See the Business Report safety report card on Page 19.
Anillo has the highest gold mine fatality rate
Call to charge mine for tragedy

By Justice Malala
Labour Reporter

No disciplinary action has been taken by management against the five Vaal Reefs gold mine employees found responsible for the negligent and unlawful deaths of 104 miners who died in last year's disaster.

The inquest-cum-inquiry into the disaster, headed by Mr Justice Ramon Leon, yesterday recommended to the attorney-general that the mine, two of its officials and three miners be charged with culpable homicide.

Charmane Russell, spokesman for Vaal Reefs mine owners Anglo American, said management had not initiated any action against any of the five found responsible.

Disciplinary action would be taken against the men only if they were found guilty in court of law.

Releasing his findings in Johannesburg, Mr Leon said the manager of the mine before the accident had been negligent but was not guilty of culpable homicide.

The inquiry found the driver of the locomotive was not responsible for the deaths and was guilty only of contravening safety regulations of the Minerals Act. The relieved Terriang Mpota started sobbing when he heard this.

Mr Leon said the company should be charged with culpable homicide because of the cumulative effect of the indirect causes of the accident. These included unsatisfactory procedures and weaknesses in the system relating to parking of locomotives, the electrical department, weak communication, development of standards and an “attitude of fatalism”.

The three miners found guilty are Ndawandwe Khoza, Victor Cako and Mnuluhle Chubha, who had used the locomotive that caused the accident on the afternoon before the tragedy.

Officials Hendrik Wood senior and Marihnus Jansen van Rensburg were found guilty, prima facie, of culpable homicide because a safety device, the stop-block, was not in place.

The inquest found that electrician Khoza and the two other miners had used the loco on the afternoon before the accident “and had experienced the dangerous state it was in but had failed to report it or take it out of service”.

The inquest found the accident had several causes - the loco and the man carriage were parked in a prohibited area, the electric circuit of the loco 54B was bridged out and damaged to such an extent that the loco would run away at the slightest touch of the control lever, the absence of an adequate safety device that would have stopped the man carriage and the loco from entering the shaft and the opening of both shoulders of the humble hook safety device.

Union plans court action over compensation for families

By Justice Malala

The National Union of Mineworkers intends filing civil suits against the Vaal Reefs Exploration and Mining Company for compensation on behalf of the families of its members who died in the locomotive disaster last year.

NUM president James Motlatsi said the findings of the inquest-inquiry vindicated much of what the union had been saying over the years on improving safety and health measures on mines.

Of the 104 dead, 94 were NUM members. Although a figure has not yet been worked out, the union said compensation for the families would run into millions of rand.

“It is the first time in the history of the mining industry that a mine has been found liable for prosecution. (It is also) the first time management has been rightly held responsible for its failure to provide decent health and safety conditions on the mine, and we welcome it,” Mr Motlatsi said.

Anglo American Corporation said the report needed to be studied thoroughly. Gold and uranium division chairman Bobby Godsell said he intended to invite all the relevant unions and employee associations to a safety summit to examine ways of implementing the full involvement of employees in safety management systems.

He expressed concern at the continuing high level of fatal accidents among gold mining companies serviced by the division.

The ANC said the findings would help put a spotlight on safety regulations in the industry.

The families of the dead miners have already received the usual benefits due to them from the mine and are in line for grants from the Vaal Reefs trust fund, which has received more than R10-million in donations.
Loco driver’s tears of relief

BY WILLIAM-MERVIN GUMEDE

Tsephang Mota, driver of the Vaal Reefs mine locomotive that fell down a shaft (killing 104 workers) in a lift cage, wept when he heard he would not be charged with culpable homicide.

Mr Justice Remon Leon, chairman of the joint inquest-inquiry into the May 10 disaster at Vaal Reefs’ No 2 shaft, said on Thursday: “While his negligence was one of the direct causes of the accident, he is not guilty of culpable homicide because a reasonable person in his position would not have foreseen the possibility of death.”

After the verdict was delivered, Mota (35) headed for the Orkney memorial to the 104 workers, bent down in front of it and prayed.

♦ Tears of relief

The inquest-inquiry report urged the attorney-general to prosecute two contract workers from Concor, the underground electrician, the mine shaft overseer and the section engineer. It found that employees had failed to disclose information about the locomotive’s condition to police, mine management and government officials, and that a senior employee tampered with documents before giving evidence.

Judge Leon said there was evidence that the deaths could have been foreseen and that a reasonable person in the situation of those charged would have guarded against that possibility. He said the mine had failed to install adequate safety devices to prevent the incident.

Anglo American gold and uranium division chief Bobby Godsell said management accepted responsibility for designing and maintaining safe mines and called for a meeting with unions to find ways to include employees in safety management systems.

National Union of Mineworkers president James Moleleki said: “It is the first time management has rightly been held responsible for its failure to provide decent health and safety conditions on mines.”
Anglo stoical on 'homicide' Reefs verdict

THE recommendation by Judge Ramon Leon that Vaal Reefs be prosecuted for culpable homicide following last year's accident in which 104 miners perished was taken stoically by Bobby Godsell, chairman of Anglo American's Gold and Uranium division, which manages the mine.

"The report is a substantial document which we need to study thoroughly," says Mr Godsell, who called for a safety summit involving management, unions and employee associations.

"I am concerned about the continuing high level of fatal accidents among the gold-mining companies serviced by this division.

"Management fully accepts its responsibilities for designing and maintaining safe mines, but all employees must play their role in ensuring safe work practices each and every shift," says the labour relations specialist.

"I am convinced that we will not see a meaningful reduction until we can work together with employees and unions in a fully cooperative effort."

Mr Godsell says management fully accepts the role of unions in drafting mine health and safety regulations as provided for in the new draft law, as well as the unions' role in health and safety committees and in monitoring procedure by full-time and part-time stewards.

"In fact, we are not aware of any major difference between ourselves and organised labour on these subjects. Why then should we delay any longer in combining our efforts, resources and ideas to make this industry a safer place to work?"

Mr Godsell says Anglo's mines will not wait for the new law to be fully implemented. They will start to bring about the structures for which the law provides. All relevant bodies will be invited to attend a safety summit to explore ways of implementing better safety procedure.

The report sent an inquiry into the accident found that acts and/or omissions by five employees of Vaal Reefs amounted to culpable homicide. The employees contravened the Minerals Act.

The report says that the locomotive which plunged down the No 2 shaft onto a cage carrying the men who had been standing in a prohibited area, its electrical circuit had been damaged to such an extent that it would run away at the slightest touch, its driver had continued to operate the locomotive in spite of its being defective, it had not been inspected before use, and there was no adequate safety device to prevent it entering the shaft.

James Motlati, president of the National Union of Mineworkers, welcomes the recommendation to prosecute the mine, but sympathises with the workers who were found guilty because they had been following instructions. "They cannot refuse to work even when instructions are dangerous," he says.

The report criticises mine electrician Nwanda Khoza, who had known that the locomotive was in a dangerous state and the circuits bridged out at the time of the accident. "He knew it was highly dangerous but sent this potentially lethal instrument back into the workplace," says Mr Leon.

Vaal Reefs shares lost 396c to R402 on Friday. The mine's market capitalisation is R7.3-billion.
TEARS OF RELIEF
Mine disaster driver's
s
By CAROL PATON

SUNDAY TIMES, APRIL 21, 1996

The driver of the most tragic mine explosion that occurred at the Kettles mine near Johannesburg last year was charged with culpable homicide today.

The explosion, which killed 47 miners, was caused by a gas leak in the South African mine.

The driver, who was operating the mine's ventilation system, was charged with culpable homicide.

The trial is expected to last for two weeks.

The driver of the mine's ventilation system was charged with culpable homicide.

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THE NIGHTMARE IS OVER... locomotive driver Tsepong Mpota wipes away tears of relief at the conclusion of the judgment into the Vaal Reefs mining disaster. Picture: CAROLINE SUZMAN.
Quiet, yet determined pioneer

Dangerous conditions, the task of making mines safe – and dealing with wolf whistles – part of the job for first woman mine inspector

BY LEE-ANN ALFRED

Nothing about Elizabeth Kau shouts “pioneer”. She is just your typical South African twenty-something – non-assuming, softly-spoken, confident but a bit shy. Or, rather, that is how she would come across if you judged a book by its cover.

But Kau (22) has been where few other women have and if she attains her goal, danger will become part of her life.

For Kau is an apprentice mine inspector – one of two women presently in training who will become the first women to work underground, monitoring safety conditions on South African mines.

It is not a job Kau ever thought she would end up doing, but, when the opportunity came up, she jumped at it.

“After matriculating in 1992 I first tried my hand at architecture, but gave that up after six months. Then I studied electrical engineering at technical college,” she said.

“Then I was in my second year of engineering when I saw the Department of Mineral and Energy Affairs’ advertisement calling on black people interested in being mine inspectors, to apply for their affirmative-action project. I immediately sent in my CV and here I am,” she said.

For Kau added the attractions of the job were that it was not a typical profession for women, and that it would give her an opportunity to improve the working conditions of miners.

“I was in my second year of engineering when I saw the Department of Mineral and Energy Affairs’ advertisement calling on black people interested in being mine inspectors, to apply for their affirmative-action project. I immediately sent in my CV and here I am,” she said.

“It was cold and dark and I was very scared the first time I went down a mine. When they blasted, I thought the mine was going to collapse. But once you have been down lots of times, you forget you are underground,” Kau said.

It also does not bother Kau that she will be a woman in man’s world.

“The mates on the course are fine, but when I go down the mines, the mine workers whistle at me when I pass them, I could not believe it the first time it happened, but I just ignore it,” she said.

Fellow students Aaron Nikosi and Lovely Cemane think it is fine women are on the course. “It’s okay because we now all have equal opportunities,” Cemane said.

Fred Wilmans, a group leader of the project, said the department had embarked on the affirmative-action project because of the lack of mine inspectors in the country.

After the students graduate, the course is to be taken over by the Witwatersrand Technikon.

Woman in a man’s world

Elizabeth Kau, tasked with ensuring the safety of her male colleagues, believes that she can make a difference.
PARLey VIEW

MANAGEMENT AND EMPLOYEES TO BLAME FOR DISASTER

RENEE GRAVITYK

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Miners gain a foothold in the slippery shafts

The mining industry is about to introduce a state-of-the-art health and safety system, reports Eddie Koch.

A REVOLUTIONARY health and safety Bill for the mining industry—along with last week’s dramatic findings of the inquiry into the Vaal Reefs disaster—will give thousands of workers who experience some of the worst safety standards in the world a state-of-the-art system for managing underground accidents.

Judge RN Leon’s finding that mine management was mainly to blame for the grisly death of 104 workers at the Vaal Reefs gold mine, combined with pronouncements in the new draft law that could make mine owners automatically guilty of homicide unless they can prove they took strict measures to prevent accidents, will place the mining industry under unprecedented pressure to clean up its safety record.

Leon ruled that the driver of a locomotive which plunged into an underground lift at Vaal Reefs was not primarily to blame. He recommended instead that the company, a former manager of the mine and two senior line-management officials be charged with negligence and culpable homicide.

The judgment contrasts dramatically with that of the official inquiry into the accident at Kuroos in 1986, when 177 people died in the worst tragedy in the history of gold mining in South Africa. Management at Kuroos was exonerated and a welder was convicted of two minor counts of breaching the Mines and Works Act, and fined R100 — less than 60c a life.

"This is the first occasion in the history of the industry that I know of where any manager has been held to account for the causes of a disaster," says the National Union of Mineworker’s (NUM) health and safety co-ordinator, Fleur Plummer.

"Together with the mine’s health and safety Bill, it will help to end the culture of victim-blaming that has so far characterized accident inquiries."

Leon chaired the official inquiry into the causes of the Vaal Reefs accident, and was assisted by May Hermerus from the labour movement and Arnold McKenzie from the office of the Government Mining Engineer. His report found prima facie evidence that two miners at the top of the line-management structure of the mine, Hendrik Wood (shaft overseer) and Marvinus van Rensburg (section engineer), were guilty of culpable homicide, along with Frank Khoza (section electrician), Victor Caipo and M Rhodes Guluva (locomotive drivers).

The report recommends that the Vaal Reefs Mining and Exploration Company be charged with culpable homicide and that a former manager at the mine, Mr Mburu, be charged with negligence for failing to deal with warning signals that had emanated from a similar accident on the mine in 1982.

Plummer adds: "He [the manager] adopted far too supine an attitude, leaving the whole matter to the engineers. It seems to us that any reasonable person in the position of a mine manager ought to take all reasonably practicable steps to ensure, as far as is reasonably practicable, that adequate steps are being taken to prevent similar occurrences in future."

The driver of the locomotive that plunged down a shaft into a cage bringing miners to the surface was found guilty of culpable homicide, although Leon ruled that he should face minor charges of negligence. The matter has been referred to the attorney general’s office, which is expected to bring criminal charges against the mine and one of its most senior officials.

The recent judicial and legislative innovations—bound to affect the fate of thousands of workers who are injured or killed every year on the mines—reflect a profound shift in the amount of power that mine owners are able to wield over government policy since the 1994 elections.

A number of mine workers’ leaders have taken high government positions since the elections. President Nelson Mandela is honorary president of the union. Mpho Moloi, head of the parliamentary portfolio committee that brokered the new Bill, is the NUM’s former assistant general secretary and chief constitutional negotiator Cyril Ramaphosa was its general secretary.

"The Bill explicitly shifts the burden on to a mine manager to prove he is innocent, because of the enormous responsibility these officials have for protecting the lives of thousands of workers," says Plummer. "It is a matter of principle for us. If this law applied at the time of the Vaal Reefs accident, the mine managers would have been obliged to prove they did everything possible to prevent it."

The country’s large mining corporations are strongly opposed to the "reversal of onus" clause and are considering a Constitutional Court challenge if Parliament keeps it when the legislation is passed, on grounds that it contravenes the basic right to be presumed innocent until proven guilty.

"If an offence is committed by a member of staff, the manager and owner of the mine will be presumed guilty of the same offence in its current form, the Bill gives more rights to a common criminal, robber or rapist than it does to a mine manager," says John Stewart, head of safety management at the Chamber of Mines.

Apart from this fundamental disagreement, the draft law is a "consensual product" of intense "interminable" bargaining and negotiation between unions, the major mining houses and the Department of Mineral and Energy Affairs. It provides for:

- Elected health and safety representatives who will participate in all safety management systems on mines.
- Workers will also be able to elect a full-time health and safety representative who will carry out this task with full pay.
- Joint health and safety committees made up of elected workers and senior management officials, with the power to implement policy decisions.
- A revamped mine inspectorate which will, in effect, create an expanded government agency made up of people experienced in occupational health and industrial hygiene.
- A mandatory system of risk assessment on every mine, according to which management will be obliged to identify potential hazards and design systems to eliminate, control or minimise the risk. (The risk assessment system is linked to the controversial clause which makes management criminally culpable for fatal accidents unless it can prove procedures outlined in the Bill were complied with.)
- The right of workers to a free flow of information about risk assessment, accident statistics, codes of practice, accident inquiries and occupational disease statistics.
- The right of workers to refuse to work if they have "reasonable justification" to believe a serious danger is present.
- Hazard awareness training for workers before they start employment, at regular intervals and before any major changes to the production process.
- Industry and labour agree that they have come up with a state-of-the-art system to minimise fatal accidents on the mines. Says Plummer: "From having a really weak system, we are now on the verge of implementing some of the best legislation in the world."

Adds Stewart: "It is fully up-to-date legislation, in line with a recent international Labour Organisation convention on mine safety that has yet to be ratified to that contest, without having studied all other mine safety legislation, we must surely rank among the most progressive in the world."
New study shows high rate of illness among ex-miners

David Robbins
Staff Reporter

Hundreds of thousands of ex-miners could have occupational diseases and compensation payable could run into several billions of rand.

This disturbing evidence of the high burden of mining-related disease in South African rural areas has emerged from a scientific study in the Transkei. When the results are extrapolated over all areas in southern Africa from which mining labour has traditionally been drawn, an alarming picture emerges.

However, Bobby Godsell, chairman of Anglo American Corporation’s gold and uranium division, has warned against extrapolation.

“I say emphatically that we need to be extremely cautious. The study needs to be supported by other research.

“In particular, I would like to see a control study done in a rural area where no recruitment to the mines took place. This could help to show how much disease – in particular tuberculosis – should be attributed to mining and how much to other causes.”

Mr. Godsell has nevertheless referred to the study as “an important event in the life of the mining industry in South Africa”.

“We are distressed at what the study has revealed,” he said.

“There is clearly a serious problem which the industry will have to address.

“But I don’t know whether it’s ever possible to fully compensate for the past.

“In a mature and declining gold mining industry the choice may well be between redressing past injustices and protecting present jobs.”

The preliminary results of the study, undertaken by the Epidemiology Research Unit (ERU) in March this year, indicate that about 50% of a sample of ex-miners in the Labode district of the Eastern Cape have pneumoconiosis (dust diseases, including silicosis) with or without tuberculosis, to a degree that would allow for compensation in terms of the Occupational Diseases in Mines and Works Act.

Details of the research are contained in a preliminary report to be published in the South African Medical Journal.

In mid-1995 researchers Anna Trapido and Nokuzola Nyqoi visited hospitals in and around Umtata to assess the level of compliance with the Act, which stipulates that mineworkers are entitled to an annual medical examination and to compensation if they have an occupational disease.

Ms Trapido and Ms Nyqoi found little awareness of these statutory provisions among doctors and health administrators.

Their subsequent study, which examined a random selection of mineworkers taken from the recruitment records of the Employment Bureau of Africa for the Libode district, confirms a huge burden of untreatable disease.

The ERU study provided for a full hospital examination, including X-rays and lung-function tests, of about 500 ex-miners over a 12-day period.

The results show that of the first 150 men examined, 13 percent had tuberculosis only, 23 percent had tuberculosis and pneumoconiosis and a further 32 percent had pneumoconiosis only.

These results were confirmed by a second medical opinion and are now being re-examined by the certification committee of the Medical Bureau of Occupational Diseases.

Tony Davies, the recently-retired chief director of occupational health and the doctor who did the random sample and volunteer examinations at Libode, estimated that around R5 million in compensation would be required for the men he had examined.

When these results are extrapolated to the total population of miners recruited in Libode between 1969 and 1988, the estimate leaps to around R200 million.

The ERU’s director, Brian Williams, has pointed out that if the miners from this single magisterial district were to be compensated according to the law, nearly all the national compensation fund of about R20 million a year would be consumed.

“It also probably means that compensation payable across all the mine recruitment areas in South Africa and some neighbouring states could easily amount to several billions of rand.

“It is now imperative,” he added, “that the key players in mining sit down with government and seriously address the issues which this research has raised.”
Mining industry could face billions in payouts over occupational disease

By DAVID ROBBINS

Hundreds of thousands of ex-miners could be suffering from occupational disease, and compensation payable in terms of the Act could run into several billions each year.

This disturbing evidence of the high burden of mine-related disease in South Africa is now emerging from a recent scientific study. This work, undertaken by the Epidemiology Research Unit (ERU) and funded by the South African Medical Research Council, is the first of its kind in this country.

The preliminary results of the study, undertaken in the Eastern Cape and the Northern Cape, indicate that about 60% of a sample of 500 men from the Eastern Cape and 40% of a sample of 500 men from the Northern Cape suffer from pneumoconiosis (Coal Patients' Disease, or coal dust disease).

The study was conducted in two phases. The first phase involved the examination of a random selection of miners and their families. The second phase involved the examination of a random selection of miners and their families.

The results of the study, which are expected to be released later this year, will provide a basis for determining the level of compensation payable to ex-miners and their families. The study is expected to be completed by the end of the year.

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Mines, unions at loggerheads over disease-study findings

BY DAVID ROBBINS
Health Writer

Reports that hundreds of ex-miners from a single magisterial district in the former Transkei are suffering from an occupational disease that would allow for compensation have sparked a series of warnings from the various parties involved.

The National Union of Mine-workers' health and safety coordinator, Fleur Plimmer, quoted in a weekend newspaper, put the blame for the situation on the mining industry for allowing unhealthy work conditions.

Research conducted under the auspices of the Epidemiological Research Unit (ERU) has established that more than 50% of ex-miners recruited between 1969 and 1980 in the Libode district of the Eastern Cape are suffering from pneumoconiosis (dust-related diseases), some with and some without tuberculosis, to a degree that would allow for compensation in terms of the Occupational Diseases in Mines and Works Act.

The ERU's director, Dr Brian Williams, pointed out that, if the results of the study were extrapolated across all rural areas from which miners have traditionally been recruited, billions of rands could be owing to tens of thousands of diseased miners all over southern Africa.

Williams added that, if the miners from Libode were compensated in accordance with the law, nearly all of the national compensation fund of about R80-million a year would be depleted.

However, Bobby Godsell, chairman of Anglo American Corporation's Gold and Uranium Division, has warned against the dangers of extrapolation.

"But I don't know whether it's ever possible to fully compensate for the past," he added.

"In a mature and declining gold mining industry, the choice may well be between re-dressing past injustices and protecting present jobs."

The study was done by researchers Anna Trapido and Nokuzola Mqoq who, in mid-1995, visited hospitals in and around Umtata, and found little awareness of the statutory provisions.

They subsequently examined a random selection of miners - taken from the 1969-1980 recruitment records of the Employment Bureau of Africa for the Libode magisterial district - and found a large burden of non-compensated occupational disease.

See Page 19 for the first in a three-part series of articles on this important health issue.
Digging up the past links mines to rural suffering

New evidence fuels the debate over occupational diseases, finds Health Writer

David Robbins, in the first of a series of three articles focusing on this sensitive issue

For a long time arguments have simmered about the level of disease in Southern African rural areas which, for more than a century have supplied South African mines with their vital supply of labour.

Anecdotal evidence has indicated the burden placed on these rural communities by the mining industry is extremely onerous.

On the other hand, some scientists have argued the causes of high disease levels in the rural areas (excluding South Africa’s former homelands) should be sought in the socio-political and developmental realities of the rural areas, rather than in a single industry.

But now there is fresh evidence of a more scientific kind. A random-sample study of ex-miners in the Libode magisterial district in the old Transkei homeland carried out by the Epidemiological Research Unit (ERU), which is a small unit (with an annual budget about R3-million) is indirectly funded by the Department of Health through a levy on the mining industry as laid down by the Occupational Diseases in Mines and Works Act (ODMWA).

The function of the ERU has, since its inception in 1979, been to carry out research into mining diseases.

According to documents in the files of the National Centre for Occupational Health (NCOH), the research carried out in previous years was “first class” but “largely restricted to white miners.”

No surprises here, since the ODMWA itself restricted compensation for occupational diseases suffered by black miners to only 10% of that paid to white miners.

The law was changed in 1993, and at the same time the ERU was entrusted with the task of developing its work “in ways that will effectively address the problems of health and safety for all miners.”

This is the context in which the Libode study was carried out.

In mid-1995, researchers Anna Trapido and Nokuzole Mosqu visited hospitals in the Umtata area to assess the degree of compliance with the ODMWA, which stipulates ex-workers are entitled to a six-monthly benefit examination and to compensation if suffering from an occupational disease.

Little awareness of these statutory provisions on the part of doctors and health administrators was found.

Trapido, who holds a biological anthropology degree from Cambridge in the United Kingdom, takes up the story. “We wanted to assess the burden of occupational disease in a rural community, and we were greatly assisted in this by the discovery of complete recruitment records for Libode, a magisterial district situated between Umtata and Port St Johns.”

The records were those of the Employment Bureau of Africa (Eba), which has recruited 11,706 miners from Libode between 1969 and 1980.

To accurately determine the prevalence of disease, Trapido needed to take a analysis of 400 men “In fact, we doubled up to 800 to account for possible deaths.”

The sample was randomly selected according to accepted scientific procedures. Then the process of tracing the former miners began.

“The communities, as well as the staff of Tetha in Umtata, were astonishingly helpful,” Trapido says.

“In fact, they were able to account for all 800 men.”

They show that of these 150, 13% had tuberculosis only, 23% had tuberculous plus pneumoconiosis, and a further 32% had pneumoconiosis only.

All these results are currently being verified by the certification committee of the Medical Bureau of Occupational Diseases (MBOD).

According to the ODMWA, compensation must be paid to miners who have worked at least 200 shifts in high-risk work and who are suffering from pneumoconiosis (dust diseases like silicosis).

If tuberculosis is also present, higher compensation is paid.

Tuberculosis on its own is only compensatable within a year of the affected miner leaving the mines.

Actual cash amounts involved in compensation vary according to length of service and other variables; however, a reasonable average would be between R10,000 and R30,000.

Prof Davies estimates that this works out to about R5-million in compensation for those men examined in the study.

If the results are applied to the full population of recruits between 1969 and 1980, the figure leaps to around R70-million.

According to the ERU’s director, Dr Brian Williams, if the Libode results are taken as a general guide, a figure of “several billions of rand” could be required to compensate diseased ex-miners living in rural areas all over southern Africa.

Dr Lotte le Grange, medical adviser to the Chamber of Mines, said the chamber would need to see the written-up research before commenting on it.

“We must also wait for the findings of the certification committee of MBOD.”

“When these are to hand, we’ll certainly consider the facts,” le Grange said.

In spite of this cautious approach, the ERU research seems more than likely to provide considerable food for thought for the entire mining industry.
Dr Brian Brink, Anglo American Corporation's health manager, was invited with other high-ranking mining officials to Libode in the Eastern Cape, to see the ERU study in progress.

"There can be no doubt,"

Further research needs to be done, says Anglo chief

Bobby Godsell, chairman of Anglo's gold and uranium division, says steps are already being taken to match individual miners at Libode with their mining medical records.

"The study illustrates how imperative it is to maintain effective disease monitoring during employment and how important the exit medical examination is.

"We are using this study to re-double our efforts to provide a quality service in these areas.

"It's in everyone's interests - the individual miner's, society's, and also our own - that we do it."

However, Godsell stresses that to extrapolate from this one small study to the southern African region as a whole is dangerous.

He said: "I say emphatically that we need to be extremely cautious."

Godsell also thinks that the Libode study needs to be supported by other research which might help to illuminate some of the "cautionary assumptions" made.

"In particular, I would like to see a control study done in a rural area where no recruitment to the mines took place."

"This could help to show how much disease - in particular tuberculosis - should be attributed to mining and how much to other causes such as poverty and unhealthy living conditions."

In spite of these reservations, however, the possibility is that many southern African rural communities are shouldering a debilitating burden of occupational disease.

"The questions is: What can be done about it?"

See The Star tomorrow for the second article in this series.
West Driefontein shaft ablaze

Business Day Reporter

FIREFIGHTING teams were last night still battling to contain a blaze detected at the weekend about 1,000m below the surface at West Driefontein mine, a Driefontein Consolidated Limited spokesman said.

The fire was discovered in an area served by the No 7 shaft and no casualties had been reported.

Prototeams also sealed off the East Driefontein mine to prevent a second fire, reported yesterday in the No 4 subvertical shaft, from spreading. The cause of the fires was still unknown.

Mine management said stopping crews had been relocated to other areas to minimise production losses. The effect on production would be assessed later.

Early this month it was reported that East Driefontein lifted working profit to R157.4m (R100.7m) for the March quarter. Gold production increased to 6740.7kg (8399.0kg).

Driefontein Consolidated, which includes the West Driefontein mine, increased profit after tax to R217.7m (R177m).
Mine safety bill passes hurdle

DRAFT legislation to improve safety on mines was approved by the National Assembly's mineral and energy affairs committee yesterday after three months of intense negotiation.

The Mine Health and Safety Bill is to be debated by the National Assembly on May 9.

The bill proposes that employers and employees be obliged to identify health and safety hazards on mines and to minimise and control these.

It also provides for employees to be represented on health and safety committees.
Draft legislation on mine safety approved

Tim Cohen

CAPE TOWN — The National Assembly’s mineral and energy affairs committee has approved draft legislation aimed at improving mine safety, scrapping a controversial clause which would have shifted the onus of proof onto mine owners to prove they were not responsible for mine accidents.

Committee chairman Marcel Golding said he was “delighted” agreement had finally been reached on the Mine Health and Safety Bill after three months of negotiations. Golding, who has worked on the issue of mine safety both while in the trade union movement and as an MP for more than a decade, said the legislation would be debated by the National Assembly on May 9.

Golding said the disputed “onus clause” had been dropped in favour of a much more balanced clause which reflected a fair set of responsibilities for government, employees, managers and owners.

The Chamber of Mines and mining houses strongly objected to the “reversal of onus” which they claimed was unconstitutional because it overturned the presumption of innocence. The committee opted for a formulation which would not shift the onus onto mine owners, but which would reduce the burden of proof required from “beyond reasonable doubt” to “on the balance of probabilities”, thus making conviction easier to obtain.

Golding said the legislation provided for a new regulatory framework, a new set of rights and obligations and an enhanced safety inspectorate.

He said the new legislation would not only save lives. A “beefed up” safety inspectorate would be critical for the success of the new system. Golding said he did not expect the application of the legislation would lead to substantial cost increases to mining houses. He said the Bill attempted to promote a culture of health and safety in the mining industry and encourage training in health and safety through co-operation and consultation between all parties.

The legislation still requires the assent of the Senate mineral and energy affairs committee, although no substantial changes are expected.
Mine safety Bill supported by all

CAPE TOWN — The Mine Health and Safety Bill was read a second time in the National Assembly yesterday and received support from all parties.

Introducing the debate, Minerals and Energy Affairs Minister Pakie Botha said it would take very little to prevent most mining accidents. It was true that in some cases mining was inherently dangerous, but many accidents took place because of poor control. The Bill was aimed at ending this.

Damage to miners' health could also be prevented in almost all cases by controlling conditions in the workplace.

ANC general secretary Cyril Ramaphosa, who was National Union of Mineworkers secretary general for nine years from 1982, welcomed the Bill and said NUM had fought for the right of miners to work in a safe place.

The Bill gave mine workers their health and their lives back, he said. — Sapa.
New device to prevent mine locomotive accidents to be tested

By Mandla Mthembe

A device to prevent locomotive accidents at mines, which was demonstrated before the Leon Commission of Inquiry, will be tested officially at the Western Deep Levels gold mine in Carletonville next Monday.

The device, a double active stop-lock, was developed from the single stop-block by Western Engineering and Mining Supplies in an effort to prevent accidents similar to last year’s Vaal Reefs mine shaft disaster, which killed 104 miners.

At van Wyk, who demonstrated the R12 000 device, said it could stop a 50-ton locomotive travelling at 10km/h.

"The device is designed to stop a train by means of the impact and friction which is released by the energy of the moving train," he said.

The double stop-lock consists of two swivel stop-blocks installed in tandem, 4m apart, between the tracks. These two stops are interconnected in such a way that one stop-block is always in the stop (vertical) position.
Pik pilots Bill through despite concerns

CAPE TOWN — Outgoing Mineral and Energy Affairs Minister Pik Botha successfully piloted the Mine Health and Safety Bill through the Senate yesterday, despite telling the House he suspected parts might be unconstitutional.

The Bill was approved unanimously.

Speaking during the Bill's second reading, Botha said he would ask President Nelson Mandela to postpone the operation of a controversial clause dealing with the onus of proof in the prosecution of a mine owner or manager.

This would allow the Chamber of Mines and the National Union of Mineworkers the opportunity to negotiate an amendment.

Botha said he believed the clause was unconstitutional as in many instances the State's onus would be reduced to a formality of proving that a serious injury had occurred.

"Such an injury is no more than a reportable injury as defined in the regulations," he said.

However, the accused had a full burden of proof to establish that everything practicable had been done to provide and maintain a safe and healthy work environment, he said — Sapa.
Swazis aged 12 treated for sexual diseases

MANZINI - Hundreds of patients, including 12-year-old children, at the Manzini regional health clinic each month suffer from sexually transmitted diseases (STD), a Swaziland parliamentary meeting has heard.

Addressing MPs at the Manzini regional administration headquarters, public health matron Mary Magwaza called on them to help clinics and hospital nurses contain the rapid spread of STDs in the Manzini area.

She said MPs should address constituency meetings to sensitise parents about the need to inform their children of the dangers of STDs, including HIV and Aids.

Ms Magwaza said that the Health Ministry would arrange regular workshops to educate people about the dangers and prevention of STDs, including HIV and Aids, and rape.

Sapa
Swazi democracy might come by force

By Vuysile Mtshwane

MBABANE – Given the dualistic system of Swaziland's government, the democratisation of this bastion of traditionalism in Southern Africa might only come about through political and civil strife.

This was graphically manifested by the frustration of disgruntled pro-democracy advocates during the first session of the so-called people's parliament, a general gathering of the people, at the royal Ludzidzini cattle byre recently.

For the first time in the history of the tiny kingdom, the traditionalists and progressives bayed for each others' blood over what the pro-democracy group viewed as cosmetic political changes by King Mswati, which in any case favour the traditionalists and the royal family.

Swaziland is run by two systems, the traditional and the Western. The Western model works in the constituted parliament, while the predominant traditional system operates at the royal headquarters, Ludzidzini Residence.

Demands of democracy

The architect of this dual system was the late King Sobhuza II, who advised Swazis to create a unique means of governance by copying the positive values of the Western and African systems.

Now, this dual system is proving unworkable and divisive because it does not cope with the demands of democracy.

The gathering of the people's parliament was attended by almost 20,000, many of whom had expected they would be able to discuss the removal of the 1973 decree banning political parties.

They also hoped for the freedom to elect an accountable and transparent government, the reintroduction of a Bill of Rights and the repeal of draconian laws such as the Industrial Relations Act and Non-Bailable Offences Act.

But the major outcome was that the king fired the unpopular prime ministers, Prince Mhlongo, without replacing him.

The move was welcomed by pro-democracy organisations, such as the Swaziland Federation of Trade Unions, the People's United Democratic Movement and the Swaziland Democratic Alliance.

Mswati touched a raw nerve when he announced at the meeting that he would continue with behind-the-scenes appointments to his advisory body – the Swazi National Council.

Then he appointed 21 people to the council, including five princes and two unelected. This caused consternation among the pro-democracy group, which had wanted to be able to choose council members in a democratic fashion.

When the people's parliament closed, the pro-democracy group was left with the view that it had been nothing more than window dressing on the part of the king.

It was felt that the traditional government would continue to dominate the Western government model, making it difficult for parliament to operate freely.
Miner's body found, accident toll now 3

The recovery yesterday of the body of a miner at Vaal Reefs gold mine near Orkney brings the number killed in a rockfall on Tuesday.

Seven miners injured in the accident were still in hospital. They will be under observation for a few more days, a mine spokesman said. Three workers were discharged yesterday.

Meanwhile, rescue workers were continuing their search for more missing miners.

The deaths of the three miners have raised this year's toll in the gold mining industry to 58. January had the highest toll, with 27 miners killed in accidents – Staff Reporter
MINING - Accidents

1996 - 1997
Swazi commission to draft ‘home-grown’ constitution

MRABANE — Faced with pressure from both internal and external forces, King Mswati III has finally heeded calls for democratic reform in Swaziland.

The 28-year-old king has set up a 29-member constitutional review commission to draft a new “home-grown” constitution.

Swaziland has been operating as an absolute monarchy since April 1973 when the late King Sobhuza suspended the Westminster-style constitution adopted at independence in 1968, banned all political parties and introduced the traditional Tinkundla (constituency) system.

However, despite the ban on political parties and activities, the country, once dubbed a peace-loving nation, experienced a myriad social, economic and political problems. The problems culminated in a spate of strikes and the resurgence of underground parties and civic groups.

The groups, the most notable of which are the People’s United Democratic Movement and the Swaziland Federation of Trade Unions, have since formed an alliance called the Swaziland Democratic Alliance (SDA).

The constitutional review commission represents a cross-section of Swazi society, including members of banned political parties, trade unions, employers and academics. These include Mario Masuku, leader of the People’s United Democratic Movement; Themba Mabu of the Swaziland Federation of Trade Unions; Muhawu Mazya of the Swaziland Federation of Employers; Jerry Gule of the Institution of Democracy and Leadership and Nkozo Hlatshwayo, a law lecturer at Swaziland University.

Also included was Madam Tshabalala, a traditionalist who was forced to resign from leading a Tinkundla. People felt Tshabalala would frustrate the constitutional review exercise.

The constitutional review commission will visit all 55 Tinkundla centres in the country and obtain people’s views about the new constitution. But there have already been some misgivings from the SDA, which has threatened to pull out of the commission.

The SDA wanted the king to lift the ban on political parties forthwith. It also demanded freedom of assembly and political expression without fear of arrest, intimidation or harassment.

The SDA was also worried that it did not know the terms of reference of the constitutional review commission. Besides, all representatives of the commission had been selected by the king and his Swazi National Council without the consultation of the people. The SDA also did not know the criteria used for selection.

Bongakos Dlamini, secretary general of the People’s United Democratic Movement, said: “The arbitrary hand-picking of the individuals into the constitutional commission is contrary to the accepted norms and practices of democracy.”

So far, there are more questions than answers about the commission due to lack of transparency. Nothing has been done to allay fears of the unknown among SDA members. Unless Mswati actively involves the people in his new socio-economic and political initiatives, they will continue to consider them as cosmetic rather than real changes. — AIA
Workers die in mine rockfall

JOHANNESBURG: Two miners were killed in a rockfall in the No 9 Shaft at Free State Consolidated Mines Limited Western Holdings on Monday night.
African Business

Senate backs chief’s bid to nationalise property

Land call shocks Swazis

By Tom Holloway

Mbabane — A motion by a Swazi senator calling for the nationalisation of all land in the country has sent shock waves through the tiny kingdom.

Prince Bhekumpa, a Swazi chief and former prime minister, this week moved that Muntu Dlamini, the natural resources and energy minister, pilot a concessions and partition amendment Bill through parliament to repeal the concessions Act of 1997.

The senate passed the motion on Tuesday.

In an emotional speech, the prince referred to former Swazi kings Mbandzeni and Mswati I, who had given concessions of vast areas of the land to European settlers.

The prince said the land was only leased to them, but they had claimed ownership and used and sold it as they pleased. This was “essentially stealing land that had been lent to them by the king.”

The prince said the so-called private farm owners in Swaziland were using land that was annually concession land. Therefore, everyone claiming to own land in Swaziland now should be made to give it back to its original and rightful owner, the king, who should then decide what to do with the land.

He made no mention of compensation. He said it was “shockingly” that King Mswati III had to buy back concession land now needed for development when such land already belonged to him and the Swazi nation.

A somewhat startled Dlamini, who unsuccessfully opposed the motion, warned senators it would have serious political and economic implications and would shut the door on investment.

Swazis, including land owners, subsistence farmers on national land, business leaders and cabinet ministers, have strongly condemned the motion as ill-advised, shocking, unbelievable and “a short cut to economic suicide.”

Musa Hlohe, the executive secretary of the Federation of Swaziland Employers said that if the motion succeeded, it would be unconstitutional and bad news for Swaziland, which is about to embark on democratic constitutional reforms — Independent Foreign Service.
Another miner killed at East Driefontein

By Guy Oliver

Johannesburg — An East Driefontein miner was killed in a shooting incident late on Wednesday night, continuing the strife plaguing Gold Fields mines.

In the past six weeks at least 28 of Gold Fields workers have died in incidents of violence at East Driefontein, Northam Platinum and Lonmin mines.

The apparent motives for the spate of killings have varied from union conflict between the ANC-aligned 350 000-strong National Union of Mineworkers and the NUM-aligned United Workers Union of South Africa to criminal elements operating within the mining compounds.

Tito Mboweni, the labour minister, backed a commission of inquiry into the mining industry this week. James Molota, the NUM president, spoke to Northam Platinum workers on Wednesday in an attempt to persuade them to allow 600 Zulu-speaking colleagues back into the mine's hostels.

The Zulu workers have been billeted outside the hostel since early this month when four workers were killed in clashes at the mine.

Molota dismissed suggestions that the killings were linked to union factions on the mine because Zulu-speaking miners of the National Union of Mineworkers formed part of those being ostracised at the workplace.

Tsepo Grundlingh, the East Driefontein relief manager, said yesterday that a miner was shot and killed in a hostel kitchen while a NUM meeting was taking place nearby late on Wednesday. Workers refused to report for work after the killing was discovered.

"We've been losing about 25 percent of our daily production since August 16 up to and including last night (Wednesday). Now we're losing 100 percent production," said Grundlingh.

He said 1 700 Zulu miners of the 12 950 workforce had been confined to their hostels since August 16 when three Zulu miners were killed at the workplace.
By Abdul Millazi
Labour Reporter

TRADE unions in the mining industry took the first bold step towards ensuring that the safety of workers was in their own hands when they met Minister of Minerals and Energy Affairs Pansell Motjane for top-level discussions on the issue on Tuesday.

The decision to meet Motjane by the Mining Labour Caucus, a group of six major trade unions and associations representing 90 organised mine workers, was to discuss the implementation of the Mine Health and Safety Act which allows employees to take part in health and safety matters in their workplace for the first time.

The new law, facilitated by Motjane’s predecessor Mr Pik Botha after the May 10 1995 Vaal Reefs Mine Disaster which claimed 104 lives, allows trade unions to nominate representatives to a range of influential bodies in the industry.

These include the Mine Health and Safety Council and the Mining Qualifications Authority.

Led by the National Union of Mineworkers the caucus’ duty would be to provide a forum for labour to develop common approaches to issues affecting workers.

The caucus represents over three quarters of members of registered trade unions in the industry, and therefore allowed to nominate all the labour representatives.

NUM vice-president Senzani Zokwana said “Our aim is proper coordinated representation for labour in important governance structures that have been opened by the Act to all workers for the first time.”

Zokwana said trade unions had been working together informally for more than a year.
4 miners killed in accident at Leucedoornt

Four miners were killed and three seriously injured in an accident in the Number One sub-vertical shaft of the Leucedoornt mine near Westonaria on Monday night.

A spokesman for the Goldfields Mining Company said the accident occurred when a stage rope broke while the men were inspecting an orepass 2,700m below the surface.

The names of the deceased are being withheld until their next-of-kin have been notified of their deaths - Sapa
Mining still the most dangerous industry

By Thabo Leshilo

Johannesburg — A total of 942 people, excluding miners, died in the workplace last year, according to the labour department's annual report for last year.

However, mining remains the most hazardous industry in the country. According to statistics from the mineral and energy affairs department, 333 people died on the mines last year. During the same period, 7,739 were injured and there were 7,900 reported accidents.

In its recently released report, the labour department said that it investigated 10,356 serious workplace accidents last year.

The trend since 1991 showed a 1.3 percent decrease in fatalities, after a steady 1 percent increase over the previous four years (see graph).

The report showed that the transport industry was the most dangerous after mining. Transport accounted for 54 percent of the 942 deaths. The industry had 492 deaths and 2,015 accidents last year, compared with 493 deaths and 1,551 accidents the previous year. The report said the number of accidents investigated had increased since the labour department had taken over responsibility for health and safety on the railways in 1992.
Three miners
die in rockfall

Three miners were killed in a rockfall at the West Driefontein gold mine near Carletonville yesterday.

Goldfields spokesman Marion Brower said the rockfall, about 110m below the surface, was set off by a tremor measuring 2.7 on the Richter scale.

He said the tremor was "fairly substantial in mining terms", adding, that it was unfortunate that such tremors were a factor of life in South African mines.

No other miners were injured.

The bodies of the dead men have been brought to the surface, but their names will not be released until their next of kin have been advised, Brower said. -- Staff Reporter
Many mine locomotives ‘tampered with’

Wyndham Hartley

CAPE TOWN — More than half the underground locomotives at Vaal Reefs mine had been lethally tampered with in the same fashion as the train that caused the accident which claimed 104 lives in May last year, a parliamentary committee heard yesterday.

The mineral and energy affairs committee demanded to know how prevalent short circuiting of safety devices was in the industry, after hearing that an investigation had been conducted.

Government mining inspector Derek Baker told the committee that after the accident, in which a locomotive plunged down a shaft onto a lift cage full of workers, an inspection of similar machines had shown that 50% of them had been “short circuited.”

He said an investigation had been conducted to determine how prevalent the practice was in the mining industry. Baker did not have the details, the committee asked that the results of this investigation be made available for its consideration.

The electrical bridging or short circuiting of the controller boxes on the locomotives was apparently done to keep them operational when they developed faults.

Baker said Frank Phosa, the electrician who carried out the procedure on the locomotive involved in the accident, and who faces prosecution for culpable homicide, had told two investigations into the accident he had short-circuited the controller because there were no spares.

Baker said Phosa had claimed that his training was hopelessly inadequate, but this had been rejected by the mine. He said while the mine company had claimed inspectors had given the mine’s locomotives a clean bill of health, “the fact is that we are hopelessly short of inspectors.”

He told the committee that the recommendations of the inquest-inquiry into the accident — that Phosa, the mine manager at the time, and Vaal Reefs itself be prosecuted for culpable homicide — were still with the attorney-general. He implied that a decision on the prosecutions was imminent.
Provinces must balance their books

John Dludlu

NATIONAL government would no longer help the provinces finance their budget shortfalls, a move which would force the nine regions to practice stringent fiscal control, treasury sources said yesterday. Treasury officials said the proposal — to remove the option of provinces to fall back on the national fiscus in cases of overspending — was among several items on the agenda of the newly established budget council, which brings together national and provincial government finance officials.

In terms of the proposal, which is part of a package on the sharing of financial resources between national and provincial government, provinces would have to balance their books after annual allocations.

Northern Cape treasury head Eugene Meyer said the new budget system, which replaced the infamous function committee system, was welcome in enforcing fiscal discipline. But Meyer said he was concerned at the prospect that provinces might have to fund shortfalls even on functions over which they had no control — such as welfare and health.

The scale of obligatory payments, such as welfare grants, is determined at national level.

KwaZulu-Natal treasury head Sipho Shabalala said “To me, it’s a question of fiscal discipline. We have to learn that if you have R10, you have R10 and nothing more. As a treasury, we will have to send a clear message to the departments (about spending).”

Johann Stegmann, Western Cape finance department and corporate services head, hailed the new system as an improvement on the function committees which put provinces at a disadvantage, but was reluctant to pre-empt discussions on the sticking points at next week’s meeting of the council.

The new budget system, which included a revenue-sharing formula and proposals on a 7% tax room for provinces, had to be seen within the context of the need to foster co-operative governance. If the proposal on dealing with budget shortfalls was accepted, options for maintaining statutory payments would include using the next fiscal year’s allocations or delaying expenditure on non-statutory votes.
Gengold outlines plans for better mine safety

Reinie Booyzen

GENGOLD was hoping to improve productivity and safety on its mines through its policy of promoting black workers to leadership positions, Gengold MD Tom Dale said yesterday.

The fatality rate in deep-level SA gold mines was unacceptable, Dale said. "Mining is a dangerous, arduous environment, and we have to address this by putting more skills at the face." Gengold was transforming its labour force by educating black workers and helping them obtain blasting certificates, he said. "We are educating, training and qualifying hundreds of miners. We want to give them career opportunities based on merit, and to pay them on merit."

Apart from improved safety, productivity at the face would also be improved, as qualified blasters led smaller teams of miners motivated by incentive bonuses.

At Gengold's Beatrix mine, where about one-third of the mine had been converted to the new structure, face advances of 20m to 25m a month were being achieved in some areas of the mine. This compared with an industry standard of about 8m a month. "We have established a foundation for sustainable, significant improvements in productivity over the next three to five years," Dale said.

Instead of one white qualified supervisor being in charge of 70-100 men, covering about 100m of stope face, there would be qualified supervisors — a large proportion of them black — every 25m, with smaller teams comprising 12 to 15 men.

About 250 miners were being educated to standard 7 and blasting certificate level each year, although about 100 of these were leaving the mines annually. "We need about 800 to 1 000 in total," Dale said.

The management hierarchy on Gengold mines — Beatrix, Kinross, Leslie, St Helena and Winkelspan — was being reduced from eight to about five levels. The head office hierarchy had also been reduced from three levels to just one.

In his presentation of Gengold quartermaster this week, Dale told analysts the transformation of Gengold mines was a long-term process, and he asked the investment community to be patient about results.
Swaziland’s Witnesses reap the seeds of discrimination

Mbabane - The Human Rights Association of Swaziland has taken up the case of a group of Jehovah’s Witnesses in the Lomahasha rural area in southern Swaziland. They have been forbidden to plough their fields by the area’s chief because he is opposed to their religious beliefs.

The chief’s action followed hard on the heels of a successful appeal in the Swaziland High Court by the Jehovah’s Witnesses against their recent eviction from their homes in the chief’s area.

The Human Rights Association executive, at the request of the Jehovah’s Witnesses, has met Justice Minister, Chief Maveru Sanelane, but the result of the meeting is not yet known.

The case is the latest in a number here in which deeply traditional Swazi chiefs and rural school teachers have allegedly victimised Jehovah’s Witnesses.

Freedom of religion is still entrenched in Swaziland’s 1968 Independence Constitution.

But many traditionalists claim the Jehovah’s Witnesses’ beliefs are incompatible with Swazi law and customs. ”Star Foreign Service
SABC staff members welcomed
N3289
post people are employed
improvement in terms of their
conditions of service.

The Competition of the SABC has informed me
that there have been twenty-one

THE MINISTER FOR POSTS, TELECOMMUNICATIONS AND BROADCASTING

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Minister of Mineral and Energy
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FRIDAY 1 NOVEMBER 1996

Minister of Finance
Trapped mine workers rescued by colleagues

René Grawitzky

FIFTEEN mine workers who had been trapped for close to nine hours more than 3km underground in Western Deep Levels' East Mine — the deepest gold mine in the world — were rescued by 25 fellow mine workers during an emergency operation.

The operation began at the Anglo American mine near Carletonville yesterday morning after seismic activity was surging 3.1 on the Richter scale and a trapped 15 miners were not expected to be able to survive underground for long.

Anglo spokesman James Duncan said that the early indications were that the 15 men who were brought to the surface were well.

However, they were taken to the Western Deep Levels hospital for a thorough medical examination.

The 15 trapped workers were rescued early last night.

Duncan said that most of the people in the rescue teams were colleagues of the mine workers trapped underground.

"What happens in once an accident is reported, people converge on the stope and begin emergency operations," he said.

Three rescue teams — each made up of eight people — were deployed to two different places trying to get close to the area where the workers were trapped.

By late yesterday afternoon, Anglo was optimistic that the majority of the trapped mine workers were alive after one of the rescue teams heard voices coming from where they were trapped.

Duncan said besides hearing the voices, the company was optimistic because there was a chilled water in the area so that the mine workers could drink and avoid becoming dehydrated.

There was also compressed air to breathe.

Although seismic activity was endemic to deep-level mining, Anglo was of the view that it had all the right supports in the right places.
Heavy rains flood shifts and wash out rescue hopes

Toll in mud disaster may reach 22
Hope fades for 15 trapped Rovic miners

BY SHIRLEY WOODGATE

Hope is fading fast for about 15 miners trapped underground by a mudslide in which four are known to have died at the Rovic Diamond Mine near Boshof in the Free State.

Rescue workers toiled through the night to locate the men trapped 500m to 700m underground and they will continue today but chances of finding any more survivors are slim.

The rescue has been hampered by continuous rain which caused the mudslide.

Thirty-four men were rescued after the disaster hit the mine to the west of Bloemfontein yesterday afternoon.

By this morning it was still unclear how many men were trapped underground, but mine manager Peter Smith said it was unlikely any of the missing men had survived.

"Everybody who could have been saved, was," he said, adding "a number of miners" were believed to be trapped.

Yesterday mine manager Francois Malherbe said 38 men were unaccounted for, while National Union of Mineworkers' regional chairman Chris Parks Moodie said probably 80 workers were underground when the mudslide engulfed the shaft.

A spokesman for Bloemfontein's rescue services confirmed early today that four slightly injured miners had been taken to the city's Universitas Hospital.
Supports prayer to God for release of mum from hospital.

Our thinking is that it can take some time to get to the bottom of what happened and that it may be necessary to explore the possibility of alternative approaches to managing the situation. We understand that the situation is complex and that there may be various factors at play. We are committed to working with the authorities to ensure that the situation is managed in the best possible way.

The authorities have been very helpful and we have been assured that they will do everything in their power to ensuring that our mother is treated fairly and that all necessary steps are taken to ensure her safety and well-being. We appreciate the support and assistance that has been provided so far and we remain confident that the authorities will continue to work to ensure that our mother is treated fairly and that all necessary steps are taken to ensure her safety and well-being.

We ask that you continue to pray for our mother and for the authorities to continue to work towards a resolution to this situation. We appreciate your understanding and support in this matter.

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We ask that you continue to pray for our mother and for the authorities to continue to work towards a resolution to this situation. We appreciate your understanding and support in this matter.
Top brass to evaluate Rovic mud rush

Johannesburg — John Darch, the president of the Vancouver-listed Botswana Diamondfields, is expected to arrive in South Africa within days to assess the mine accident at Rovic diamond mine amid allegations from the National Union of Mineworkers (NUM) yesterday that risk assessment procedures at the mine were neglected and rescue operations delayed.

Darch will be accompanied by Gerald Wright, another director, to join Peter Barnes, a third director, who was in South Africa at the time of the disaster.

A mudslide on Wednesday at the mine, which is managed by Johannesburg company Metorex, has so far claimed the lives of four miners. Management feared another 18 miners were also dead. Late yesterday, 34 had been rescued by a rescue team from St Helena mine, about 10km from Rovic.

Diamondfields acquired the mine on July 1 from the Lemkas Group. A capital injection of about $1 million was required to complete the equipping of the mine shaft and the provision of other surface facilities, the company said. Earlier this year, Simon Malone, the managing director of Metorex, would not comment on the accident.

At the time of the acquisition, a Canadian mining analyst said it was acquired at "fire-sale prices brought about by political uncertainty."

Barnes said the price was "not particularly" low, and he did not believe it reflected political uncertainty, but rather the capital expenditure required for improvements to the mine. He said the government mine inspectors and independent reports had identified no problems with the mine at the time.

The NUM has condemned the accident as preventable. Willie Lencoe, the union's regional coordinator, said, "The extent of the accident could have been put under control if the mine had a rescue team in place or an emergency exit."

Fleur Plummer, the union's health and safety officer, said "Mud rushes are common in diamond mines. The mine management's claim that the accident was unforeseen does not hold water."

TIME OUT An exhausted member of the Rovic diamond mine rescue team takes a break.

PHOTO: JOHN WOODCOCK
‘No hope’ left for miners trapped in Rovic mudslide

MUD was still flowing into the Roberts Victor (Rovic) diamond mine 60km west of Bloemfontein yesterday, and mine manager Peter Smith said there was no hope of rescuing the 15 miners still missing as a result of Wednesday night’s mudslide.

“All people we could possibly rescue have been rescued. Nobody could live through those mud rushes,” he said.

Rescue teams temporarily abandoned their search for the 15 miners yesterday because conditions were too dangerous. Four bodies had been recovered earlier.

All operations have stopped at the mine, which is owned by Vancouver-listed Botswana Diamond Fields.

More than 30 miners were rescued and two were in a serious condition.

Fleur Plummer, health and safety officer of the National Union of Mineworkers, said yesterday that the disaster could have been prevented.

“In terms of the (Mine Health and Safety) Act, every mine is required to undertake a continuous risk assessment and such a process would have revealed the high risk of mud rushes, especially in mines that use particular mining methods,” she said.

Mud rushes are common in diamond mines. Therefore, mine management’s claim that the accident was unforeseen does not hold water,” she said.

The union said casualties might be higher than Rovic’s estimate as “management could not determine how many workers were on that shift.”

Mine overseer Kobus Olivier said the mudslide collapsed steelwork in the mine shaft and it took 10 hours to clear it before a cage could be sent down to fetch miners.

The mud poured into the top levels from an adjacent worked-out open pit operation, entering it in an area which had not been mined for 20 years, Olivier said. Most of the men who died were working on levels three and four of the approximately 230m deep mine, while most of those rescued had been working on the lower levels.

Heavy earth moving equipment could not be used and rescuers had had to use spades. — Reuters, Sapa
Slimy, agonising death for miners

A MUDSLIDE at the Rovic diamond mine near Bloemfontein in the western Free State claimed the lives of 22 miners on Wednesday afternoon, but rescue workers managed to save 34 others.

Some of the rescued miners spent up to 14 hours underground up to their necks in mud.

Rescue operations were carried out throughout Wednesday night, but were called off yesterday morning when more mud started pouring into the mine and further mudslides were feared.

By that time four bodies had been recovered from the mine shaft, while 16 miners were still trapped underground. Mine management has given up all hope of finding any of them alive.

It could be days or even weeks before the mine is stable enough to resume the search, mine manager Pieter Smith said.

Some 22 injured miners were admitted to hospital in Bloemfontein, and 16 were discharged after receiving treatment for minor injuries.

The 16 were working in the lowest two levels of the eight-level mine when they heard a noise which "sounded like a strong wind", they told journalists.

Mmamoloko Kgoboko, speaking on behalf of the group, said they then saw mud pouring down the mine shaft.

Up to their chins

The miners "started praying to get out of the mine", while the level of mud rose until it reached their chins.

They estimate they spent 12 hours up to their necks in icy mud before they were rescued.

Three other miners, Albert Ramosi, Michael Mofokeng and Mathews Maumae, who are still in hospital where they are being treated for minor injuries, said they climbed up the mine shaft for about two hours before reaching the point where they were eventually rescued.

More difficult

Their climb was made even more difficult because mud was pouring down the shaft on top of them.

They said they thought they were going to die.

According to mine overseer Kobus Obert, the mud collapsed the mine shaft and it took ten hours before it could be cleared and a conveyance could be sent down to fetch the miners.

-Sapa
JOHANNESBURG: The owners of the Roberts Victor Diamond Mine near Boshof in the western Free State said yesterday they feared 22 miners had lost their lives in the mudrush on Wednesday.

In a statement the company said: "It is not clear at this stage exactly what occurred. In the incident, 58 employees of the mine were affected. Of those, 44 have been rescued and four deaths have been confirmed. A further 14 employees are presently unaccounted for and are presumed dead."

Rescue work had been suspended because of the risk to the rescue personnel.

The company said the names of the dead and missing persons would be released after the next of kin had been informed.

Production at the mine had been temporarily halted.

"The regional staff of the National Union of Mineworkers (NUM), who were present at the mine throughout the rescue operations, were kept fully apprised of the situation and concurred with all the decisions taken by management and the rescue brigade.

Mr Ben Mokgopo, spokesman for the NUM at its headquarters in Johannesburg, said: "We are still assessing the accident and will be making a statement later."

Rescue teams from the Chamber of Mines in Welkom, the South African Medical Corps in Bloemfontein and the South African Police Service, as well as local doctors, paramedics and ambulance drivers from Bloemfontein, Boshof, Dealesville and Kimberley worked feverishly until the early hours of yesterday morning to rescue miners still trapped between No 6 and No 7 levels of the mine as the level of mud rose steadily.

The mine is situated almost 70km from Kimberley between the Free State towns of Dealesville and Boshof.

Most of the mine's workers were underground when the accident occurred. -- Sapa
Rothe denies negligence allegations.
A battle for life in river of icy mud

By ELIAS MALULEKE

THE director of the Roys Diamond Mine — where 22 miners drowned in a river of mud this week — has told of his helplessness while his men struggled for survival underground.

Dr Norman Lock, a geologist who was visiting the mine near Dealesville, in the Free State, on Wednesday when the disaster happened, said it was the saddest moment of his life.

"I felt terrible. I was standing there, shuffling my feet and walking around with a sense of helplessness, while below people were desperately struggling for survival in deep mud," he said.

Roys's holding company, the Botswana Diamondfields Incorporated of Canada, bought the mine five months ago and ended the management of the mine to a South African-based company, Meteorex.

"We could not foresee the disaster because it was not related to mine operations," Lock said.

Ninety miners were underground when the mud flooded out of a disused open-cast pit about 250m from the active mine, flowed into the upper tunnel and then down the main vertical shaft to the workers 280m below.

Lock said the force of the gushing mud crushed the floor of the lift in the main vertical shaft, trapping the miners and hampering rescue operations.

Lock said a fund had been established for the families of victims, and the mine would carry funeral and medical expenses.

Mine manager James King said the death toll could have been higher had it not been for the swift actions of rescue teams.

On noticing the tide of mud, 35 of the miners made their escape through the main shaft and raised the alarm.

"Operations were immediately stopped and rescue teams from the mine and brigadesmen from the Harmony and St Helena gold mines sprung into action," King said.

King said the miners, some of whom had been trapped in the thick, cold mud for more than 12 hours, were boosted to safety by the rescue teams.

Some of the miners said they had given up any hope of getting out alive.

The Minister of Energy and Mineral Affairs, Penuel Maduna, has launched an investigation into the disaster.
Distant mining could have set off killer mud

BY BRONWEN JONES

A MAN-MADE earthquake at a distant mine could have triggered the mud flow that invaded a Free State diamond mine this week.

The grey sludge in which 22 men were suffocated or drowned, surged — unexpected and unstoppable — along the underground slopes and tunnels of Rovic, a small mine near the town of Dealesville.

It came from an adjacent, worked-out, open-cast pit that had first been mined 90 years ago. No one yet knows how it pushed through old workings into one of Rovic’s escape routes, but a seismic tremor is one of the possibilities being considered.

Dr Norman Lock, geologist for owners Botswana Diamondfields, agreed that mining could cause the earth shake but said Rovic was at that stage drilling rather than blasting. It was not impossible that a seismic event, either natural or due to other mining activity even 100 km away, could have set off movements in the earth at the diamond mine.

While heavy rainfall followed the flow, both the Canadian-based owners and the South African management company, Metorex, insist that there was no abnormally high rainfall before the mud slide and that there was no obvious seepage into the mine before disaster struck.

It was in 1976 that a similar flow of mud down a mine shaft at the Bafokeng mine claimed 12 lives. On that occasion the mud came from a burst slimes dam and flowed tens of kilometres.

At Rovic the slimes dams, made of powder-fine mine waste, are intact. The material that flowed was believed to be the rock and soil that had collapsed into old excavations of a diamond pipe.

There is no guarantee that the mud will not move again.

When it burst into the mine this week, some mineworkers heard a distinctive rumble and a rushing sound like wind. They knew they had to run for safety. Some ran the wrong way. And some men nowhere to run to. But of the 90 men underground when disaster struck, nearly 70 escaped without critical injury.

This success in the face of doom, said Lock, “was due to the incredible endeavours of the rescue teams.”

He was visiting the mine when the mud struck and worked through the night, sharing the tragedy with the largely Sotho workforce.

Continued rain delayed attempts to retrieve bodies that remain around level 7 of the mine, at the bottom of a 22-degree slope. Others, known to have been on level 3, are assumed to be entombed within tunnels that traced the mud slide’s path.

The mine had a total workforce of about 200 men.

Lock told City Press: “If our plans get back on track, we will replace the staff who’ve been lost and even increase staff to help us achieve a planned 50 percent improvement in production.”

He said that the preferential employment of relatives of the deceased could be considered.

Lock looked ashen faced as he spoke. A weary and careworn man, he said: “All our efforts must go into recovering the bodies, and helping families arrange funerals for their loved ones.”

Contrary to reports in other publications, the mine did have the two exits required by law. The owners are concentrating on securing the main shaft to prevent further damage in case there is another mud flow.

Many of the underground pumps are not working following the accident, and have to be repaired or replaced so that the water level may be reduced to its normal level.

Of the men who died, one was an outside diamond drilling contractor employed by Gel Mining, another was “monthly paid” (skilled), and 20 were “daily paid” (semi-skilled or low-skilled workers).
State was inspecting Rovic mudslide site

Johannesburg — The government mining engineer had ordered surveillance of one of two old workings at Rovic diamond mine before a disaster at one of the mine's workings claimed the lives of 22 miners last week.

However, it was a second pit which broke away from old turn-of-the-century workings and poured about 50,000 tons of mud down the main shaft, Dick Bakker, the government mining engineer, said yesterday.

Bakker said monthly inspections had been ordered on one pit which was identified as presenting possible problems, but this pit was not responsible for the disaster. He said mudslides were expected at diamond mines because of the water absorption properties of kimberlite.

The mine, owned by the Vancouver-listed Botswana Diamondfields, was purchased from the Emekra Group in May for a reported $4.3 million and required about $1 million of capital expenditure. The mine is managed by the Johannesburg-based company Meteor. On Friday the Botswana Diamondfields Vancouver shares fell 50c to $4.75c in reaction to the disaster.

Bakker has prohibited any further recovery operations and on Saturday ordered workers, who had attempted to start water pumps, to the surface until the ground had been stabilised. The government mining engineer was also awaiting mine plans from the mine managers.

Geotechnical engineers were expected at the mine today to shore up the ground, whereafter the recovery of the 18 remaining bodies would commence.

Bakker said the process of establishing a joint inquiry and inquest was already in motion. However, only after the bodies had been recovered could teams investigate the causes of the disaster.

Norman Lock, the managing director for Botswana Diamondfields' South African operations, said meetings had taken place with the National Union of Mine-workers.
Slight drop in number of mine deaths, injuries

Gauteng had the highest number of accident victims during first 10 months of the year

BY GOSA NOTHLOVU

Fatalities and injuries on South African mines for the first 10 months of this year declined slightly compared to the same period for 1995, according to accident statistics released by the Department of Mineral and Energy Affairs.

Between January and the end of October 1996, a total of 386 people died in mine accidents.

During the same period, 6339 miners were injured.

Mineral and Energy Affairs Department figures show that at the end of October last year, 467 mine workers had been killed and the number of injuries stood at 6495.

For the first 10 months of 1996, Gauteng showed the highest figures in both fatalities, at 156, and injuries, at 2456, when compared with figures for the other eight provinces.

Last year during the same 10 months, 130 miners died in Gauteng and 2396 were injured during the comparable period.

The great concentration of gold mines in this region has been given as the reason for these high figures.

The North West province came second in both fatalities and injuries after Gauteng.

At the end of October 1996, 106 miners had died and 1770 were injured in that region.

The Eastern Cape had recorded no deaths since the beginning of the year up to the end of October, with only three injuries for the same period.

Last year, only five injuries occurred in this province, with no fatalities.

Gold mines remained leaders.

Coal mines were placed third with 40 deaths and 240 injured during the 1996 period.

These figures also represented an increase when compared with the same period in 1995.

Last year 27 coal miners died and 193 had been injured by the end of October.

Diamond mines registered the lowest death and injury figures: 12 were killed and 74 injured between January and the end of October 1996.

In the same period during 1995, seven died and 119 were injured.

South African Chamber of Mines spokesman, Liewel Kriel, whose organisation recorded 330 fatalities and 4899 injuries for the January to October period in 1996, said these had been an overall improvement with regard to deaths compared with last year.

He pointed out, however, that injuries were slightly higher than last year.

Kriel said the chamber's figures were understandably less than those from the Department of Mineral and Energy Affairs, because some mines were not registered under their organisation.

He added, "I would say we cover our mine accidents fairly well and are working hard at reducing fatalities and injuries."
Bodies stay down till mine is safe

FAMILIES waited miserably this week for Rovic mine management to bring to the surface the remaining 16 bodies of the men who were killed in a disastrous mud flow ten days ago.

The underground accident near Dealesville in the Free State was at first believed to have claimed 22 lives. Each man has his own numbered miner’s lamp — so with 21 lamps missing and one extra man not answering the roll call in the hostel, the mine manager reasonably believed that 22 men were dead.

Later it was realised that one miner was off sick and his lamp had been lost. Another man is believed to have gone absent without leave.

The dead men were named as Hendrik Benson, Motseotha Got-tirwang, Gaboitswe Kgathane, Freni Lefasa, Neo Mabeli, Thabang Makgetla, Gontseang Mogashwa, Oupa Morana, Tshepan Motloji, Jonas Marza, Zeleni Noroyida, Tshu Ntcho, Shadrack Oliphant, Raphael Peter, Tello Sesel, Vuyo Tyongwe and Lourens Venter.

The bodies still underground are thought to have been partly preserved by the mud.

Three more men died but will not be named until their relatives in remote areas of Mozambique have been informed. Colleagues who have already been dispatched to tell their families the sad news will also try to find the miner who allegedly left the mine without permission.

Every day the diamond mine stands idle, places the jobs of the remaining 180-strong workforce at risk. But the Government Mining Engineer and the Regional Mining Engineer have a list of requirements to be met before bodies can be retrieved and mining can proceed.

These include employing independent geotechnical consultants Stefan Robertson and Kirsten (SRK) to help find ways in which to restore stability to the mine and enable the recovery of bodies still underground.

Wally Waldéck, head of SRK’s mining section, has been involved with previous inquiries, having worked with SRK for eight years and before that as a mining engineer with Gold Fields.

SRK and mine owners Botswana Diamondfields have agreed in principle on the need to build a reinforced concrete bulkhead in the maze of tunnels, so that access through “cross cut 394” can be re-established without more mud rushing in.

The strong wall may need to be removed when the future of the mine has been reassessed in a couple of months’ time. While Botswana Diamondfields raised some six million Canadian dollars through a private share placing to buy and upgrade the mine earlier this year, no one is yet prepared to hazard a guess at the cost of getting the mine working again after this accident — let alone how much money is being lost through no production.

The main shaft is already safe to use and the water level has been successfully lowered to its normal level during production, but the approval of Thys Beukes, the regional mining engineer, is essential for further works to take place.
Rovic releases names of miners killed in mudslide

Johannesburg — Rovic diamond mine released the names of 17 of the 20 miners killed in the November 27 mudslide.

The mine, at Dealesville in the western Free State, is owned by the Vancouver-listed Botswana Diamondfields, was the Canadian company's first mining venture in South Africa.

The names of the other three miners will be released only once their families, who live in rural Mozambique, have been notified.

Mine officials have already been sent to the Mozambique to advise the families concerned.

Four bodies had been recovered at the time of going to press. Of these, three were named as:

- Gofotase Piet Kghathane, from Dealesville, Tshepang Moreyo, from Sterkspruit, and Jonas Trojan Mha, from Mozambique.
Mudslide mine may not reopen

KIMBERLEY - Retrieval of the bodies of 16 miners entombed after a mudslide at the Rovic Diamond Mine could take up to five months, during which time production will be unable to continue, a spokesman for the company said yesterday.

The Free State mine, managed by Johannesburg-based Motorex and owned by the Vancouver-listed Botswana Diamondfields, had been in operation for about five months since the Canadian company bought control of it earlier this year.

The disaster on November 27 claimed the lives of 20 miners. Four bodies were recovered before the rescuers gave up hope for the missing men and the government's mine engineer ordered the operation to cease to prevent further deaths.

Jomo King, Motorex's technical director, said it could take four to five months before they retrieved the last bodies.

He said production would not resume until the bodies had been recovered, and a feasibility study would be conducted to decide if continuing operations was economically viable.
Making mining safer

Hundreds of workers die in South African mines every year because of human error and poor safety standards. The new Mine Health and Safety Act is set to make local mines safer. Abdul Milazi explains...

Flashback... yet another victim of a mine accident in South Africa. The new Mine Health and Safety Act will ensure that proper safety measures are implemented.

Mine bosses have also attributed the industry's poor record to physical and human factors beyond their control.

However, Pityana argues that the claim of special difficulties which exist in some cases does not absolve the boards of companies from the responsibility of making an effort to address them.

The Leon Commission recommended, among other things, the need for workers to participate in the formulation of safety policies and regulations in their workplace.

In fact, the commission's report set the basis for the new Mine Health and Safety Act.

Molapo explains these new regulations will be an uphill battle, especially in an industry still characterised by unequal work relations.

Molapo says "Black miners even under the present political dispensation, have remained kaffirs in the true sense of the word and whites arbitrarily their sensors."

Molapo says the attitude entrenched by this arrangement will be difficult to change. "The two groups still do not enter the industry at the same point. Most blacks fall under grades A and B, classified as unskilled and semi-skilled."

Molapo argues that it is this attitude of mine owners which leads to blacks not being involved in the planning of safety precautions.

The new Mine Health and Safety Act sets a legal framework in which management, trade unions and Government will develop policies and create public awareness on health and safety.

According to Pityana, the new legislation will ensure that international standards are adhered to and that the state implements and enforces regulations developed in the short term.

Such enforcement will be undertaken by an independent inspectorate, properly trained and "well remunerated."

The legislation will also ensure in the short term that health and safety committees are established at all levels to ensure all workers are included in discussions on safety.

Education and training

"In the long term, it will ensure there is an ongoing programme of education and training on health and safety."


He plans to conduct a bipartite committee which will establish the education needs of workers as well as sex workers associated with the industry. These committees will determine the content of education programmes.

The industry's health problems, according to Molapo, also stem from the migrant labour system and the way black mine workers are housed.

"The provision of housing should recognise and address the histories and legacy of hostels and also that the housing needs of individual workers are diverse," says Molapo.
Delays end for mine health, safety act

Reneé Grawitzky

THE new Mine Health and Safety Act passed by Parliament in June last year will finally come into operation later this month, after months of delays.

Mining industry sources said delays were caused by the need to draft outstanding regulations, the failure of the mineral and energy affairs department to do the necessary restructuring to ensure the act operated effectively, and extensive negotiations on the reversal of onus clause.

Mineral and energy affairs chief inspector Dick Bakker said the act would come into effect soon after January 15, and would not be phased. The reversal of onus clause, which was at the centre of some controversy, was the only clause that would be temporarily suspended pending agreement on an administrative penalty system.

The contentious reversal of onus clause provided that a manager or the owner of a mine "must be convicted of an offence" if a negligent act or omission occurred which endangered the health, safety or caused injury to a person.

An industry source said the industry had expressed concern about this clause from the outset. The industry managed to get the minister to agree to explore alternatives to this clause with the National Union of Mineworkers (NUM). The parties had agreed to the introduction of an administrative penalties system.

NUM health and safety co-ordinator Fleur Plummer said the union argued that penalties should apply to the employer, while the industry argued that penalties should be levelled against the individual and the employer. The parties had agreed to refer this issue to a group of international experts.

Bakker said a number of structures had to be put into place before the act could come into effect, personnel had to be recruited and the new Mine Health and Safety Council's constitution drafted.

Mining industry sources said not all appointments had been approved yet, while insufficient restructuring had taken place on the occupational health and hygiene side. Bakker said in this regard, as an interim measure, the department would make use of structures already established within the health department.
Agreement on fines for breaches in mine safety

BY KOLISA VAPI

The South African mining industry, long plagued by debilitating accidents, reached yet another milestone yesterday when workers and mine bosses signed an agreement that would introduce fines for safety breaches.

The National Union of Mineworkers (NUM) and the Chamber of Mines formally agreed to a proposed amendment to the Mine Health and Safety Act – due to become law on Wednesday – which would establish a system of fines for breaches of statutory health and safety standards.

The parties expect that the amendment, which will cover SA's 500,000 mineworkers, will go a long way towards reducing the high rate of accidents caused by negligence on mines.

It will be the first time in the history of SA mining that such penalties exist.

The agreement stipulates that the primary responsibility for the maintenance of health and safety standards and the implementation of safety management systems should be placed on the employer.

The act would be amended to empower an inspector to recommend the imposition of a penalty in the event of an employer's failure to comply with the regulations.

NUM president James Motlati said the agreement meant workers would have the right to refuse to work under adverse conditions.

He said the agreement was a victory for workers because they “used to be part of the mining equipment.” He added: “Workers will now be part and parcel of the decision-making about their safety.”

Chamber of Mines president Nick Segal said the agreement was an affirmation of both parties' commitment to creating a safer working environment for mining industry employees.

“It demonstrates the willingness and capacity possessed by both the chamber and the NUM to find a common approach to complicated issues fundamental to the future of mining,” Segal said.

The signing of the agreement was the culmination of an arduous process that started in October 1991, when the NUM proposed that a mine health and safety commission be appointed, and complained about the ineffectiveness of the criminal prosecution system in dealing with negligent mine owners.

The two parties have not yet reached agreement on whether administrative penalties should be imposed only on mining companies or should also be extended to individual employees.

Minister of Mineral and Energy Affairs Penuel Maduna will announce the coming into effect of the act at a ceremony to be held at the Doornkop shaft of Randfontein mine on Wednesday.

The ministry said the new legislation would emphasise “the inherently dangerous conditions under which dedicated and courageous miners risk their lives and well-being.”
Miners welcome new law

JONATHAN ROSENTHAL

POLOKENG — The miners at the PoloKeng Mine were elated last week when the new law was announced.

The new law was welcomed by the miners as a step towards improving their working conditions and health. The law was introduced to address some of the concerns raised by the miners in recent months.

The miners had been protesting for better working conditions and improved health and safety measures. They had been calling for the implementation of the new law to address these issues.

The law includes provisions for better workplace safety, improved health and hygiene, and better working conditions.

The federation called for the full implementation of the new law. They welcomed the move and hoped that it would lead to improved working conditions for the miners.

The new law is a step towards a safer and healthier working environment for the miners. It is hoped that it will lead to a decrease in accidents and injuries at the mine.

Business Watch News
Representatives of the National Union of Mineworkers and the mining industry gathered underground at Randfontein Estates mine yesterday to witness the launch of the new Mine Health and Safety Act by Mineral and Energy Minister Pentuill Maduna, right, and his deputy, Susan Shabangu.

Maduna launches Mine Health and Safety Act

Reneé Grawitzky

MINERAL and Energy Affairs Minister Pentuill Maduna launched the new Mine Health and Safety Act yesterday.

The act aims to reduce mine accidents, which have claimed more than 70 000 lives since 1900.

At the launch at Randfontein Estates' Doornkop No 1 shaft, the drafters of the legislation and delegates from the National Union of Mineworkers (NUM) and the mining industry expressed hope that the new act would become a reality for mine workers underground.

NUM president James Molelana said the "act's home is here underground, it should not be in the offices of government, management or lawyers, it should be understood by all workers.

But there was confusion underground with a number of mine workers saying they were unaware of the new act. Others who had undergone training were aware of its existence.

The act emphasizes worker participation in decision-making on health and safety issues. It places more obligation on employers to provide information on accidents, occupational health records, hazard identification, records and risk assessments, and gives workers the right to leave a dangerous workplace.
Mine Safety Act launched 687 metres underground

By Abdul Mlazi
Labour Reporter

MINISTER of Mineral and Energy Affairs Penuel Maduna yesterday launched the new Mine Health and Safety Act 687 metres down in the bowels of the earth at a simple ceremony at the Randfontein Mine’s Doornkop Shaft.

The decision to hold the launching ceremony underground was a symbolic tribute to scores of workers who died on South African mines.

Maduna said local mines were more dangerous than mines elsewhere and the new legislation was aimed at “making things better”.

“This ceremony in this mine represents one of the most important legislative steps ever taken in South Africa, certainly since our first democratic Government took office in 1994,” he said.

He said the fact that local mines used rudimentary and labour intensive mining methods, due to the low gold content of the ore, did not justify the current high mortality rate.

He said in 1995 alone, 533 mineworkers were killed, an average of 44 people per month, while 7,739 were injured out of a total workforce of 500 000.

“Most countries with a strong mining industry have seen a sharp decline in mining accidents. A decline in South Africa has not been marked,” said Maduna.

The National Union of Mineworkers (NUM) welcomed the new legislation, saying that it laid the foundation for participation in the decision-making process.

NUM health and safety education coordinator Mr Sazi Jonas said the real challenge was the legislation’s implementation.

Top officials who attended the launch included NUM president and general secretary Mr James Motlati and Kgalema Motlanthe, Mineral and Energy Affairs deputy minister Ms Susan Shabangu and the Ministry’s international law adviser Rasaka Masebelanga.
The Mine Health and Safety Act was launched in a West Rand mine this week. The message from underground was one of celebration tempered with caution.
The launch last week of the new Mine Health and Safety Act is seen as a well-deserved victory for the National Union of Mineworkers. Labour Reporter Abdul Milazi explains why...

The Act makes mines safer

The mining industry will have a health and safety inspectorate with specifically defined powers. The Act also puts more emphasis on training as a means to improve health and safety, and grants extensive rights to health and safety representatives and committees.

It will not only ensure efficiency and the safety of workers, but also that mines are more in line with international standards. By promoting and increasing worker participation, the legislation will improve communication and working relations between management and trade unions.

The Act requires mine management to create its own codes of practice, conforming to guidelines. Maduna says that these provisions should develop understanding and goodwill between management and unions.

Unions have always complained that mine bosses conceal certain facts during investigations into accidents. The new law aims to overcome this problem by empowering the chief inspector to call anyone associated with the accident to testify. Those testifying will be protected from prosecution based on their testimony.

Mines with more than 50 workers will also be required to distribute annual health and safety reports to its employees.

The Act stipulates that hazard identification and risk assessment by management is a requirement for all mines and gives employers the right to inspect these hazard identification and risk assessment records.

"The manager must, after consultation with the mine's health and safety committee or a rep-
IN BRIEF

Miner dies and two others injured in blasting accident

Two miners were killed in separate incidents on Wednesday. One miner was killed and two others injured in an underground blasting accident at Gencon's Winkelhaak mine on Wednesday, the company said yesterday.

'It was a blasting accident which happened in a small area of the mine but it will have no effect on production,' Gencon company secretary Trevor Savage said. The two injured miners were in a satisfactory condition in hospital.

Another miner was crushed to death on Wednesday while drilling at the Northern Platinum Mine near Thabazimbi in Limpopo. Preliminary investigations indicated that the death of the miner, who was in his 20s and had been working for the company for five years, was the result of a fall.
Rovic, may have known of cave-in risk.
Mineshaft closed after blast kills 4

A shaft at the Oryx gold mine near Welkom in the Free State has been shut down pending investigations into an explosion which killed four workers on Saturday.

The miners were working nearly 2km below the surface in the mine's level 18 return airway. All four died instantly. No other workers were hurt.

Gencor spokesman Trevor Savage said a formal inquiry would start tomorrow, when mine management would consult the principal inspector of mines to determine the cause of the explosion.

The names of the deceased would be released once their families had been informed, he said. — Staff Reporter.

Star 4/3/97
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Mines safety act targets managers

Reneé Grawitzky

THE onerous obligations imposed on mine owners in terms of the new Mine Health and Safety Act could force them to appoint more than one mine manager a mine, labour lawyer Willem le Roux of Brink Cohen le Roux & Roedt said yesterday.

Such an option would have to be considered as a mine manager could find himself caught up in lengthy legal proceedings, Le Roux said at the Butterworths mine health and safety seminar. The delays could prevent him from fulfilling other obligations and functions in terms of the act and to ensure the efficient operation of the mine.

"In reorienting the organisational structure, people should have regard to the extensive obligations in terms of the act and should take into account possible exposure to both criminal and civil liability," he said.

Training had to be focussed to ensure people performed their jobs properly, as well as to be in a position to identify the hazards and risks associated with mine work and the appropriate steps necessary to eliminate such hazards and risks.

"Employees must not merely be taught how to achieve the end result, but the hazards which could result if they do not follow instructions properly in terms of health and safety," Le Roux said.

Risk assessment, information sharing, and health and safety training should improve health and safety standards and aid the development of a culture of health and safety in the workplace.

He said risk assessment was fundamental in ensuring the prevention of accidents, as well as in the prevention of industrial diseases.

Chief inspector and acting mineral and energy director-general Dek Bakker said the issue of salary increases for inspectors was unresolved. The issue had persisted since the Leon commission report in 1994.

The commission recommended the inspectorate be resourced properly. As a result, cabinet had approved the setting aside of R29m for increases for inspectors.

Bakker said a memorandum had been sent to cabinet expressing the anger and frustration of the tripartite mining regulations advisory committee at the lack of action in addressing increases for inspectors.

Bakker said the department was subject to the decisions of the Public Service Commission which determined salaries and had indicated the money set aside for increases for inspectors could not be used for the purpose as increases were negotiated within the public service bargaining chamber on an annual basis.

A department source said inspectors continued to leave for jobs offering better service conditions while retired mine managers were being employed to replace the inspectors.

This short-term solution did not address the underlying problems in the department or address future skills requirements.

The cadet system, which was an attempt to ensure that the inspectorate was more representative and increase the number of inspectors, had been criticised. A source said this system’s trainees were not receiving proper and lengthy practical experience required for the job.
Use of contractors 'disturbing' union
Reneé Gravitzky (212)

THE National Union of Mineworkers has — in the wake of the death of four contract workers in an explosion at Gencor's Oryx gold mine at the weekend — again highlighted the use of contract workers in the mining industry.

Union health and safety co-ordinator Fleur Plummer said yesterday it was disturbed by the rising trend in mine accidents involving contractors directly or indirectly.

The union urged all mining groups to revisit contracts between themselves and contractor companies and to evaluate the safety performance of all contractors before hiring them.

Gencor said yesterday the four contract workers died in an explosion on Saturday about 1,800m below the surface. The company said the union, mine management and the mine inspectorate had gone on an underground inspection yesterday. However, the official investigation would be held tomorrow.

A report from the minerals and energy affairs department indicated an instruction had been given to transport the explosives out of the haulage as the face of the development had not been blasted that shift. It appeared that the accident occurred while transporting the explosives was in progress.

Chief inspector and minerals and energy affairs acting director-general Dick Bakker said in terms of the new Mines Health and Safety Act, which comes into effect on January 15, representatives of the health and safety committees and the health and safety representatives would be involved in the inquiry.

He said in terms of the new act the parties would concentrate more on the causes of the accident in order to take preventative action.
Lawsuit launched against asbestos companies
Feud costs sick miners their pitance

Poverty-stricken workers in the Northern Province are living in the shadow of destitution — but still deadly — asbestos mines Jim Day reports

A LONG-STANDING feud between a traditional leader and civic groups has halted aid for thousands of people suffering from lung diseases caused by asbestos exposure in the remote Northern Province community of Mafile, 70km south-east of Pretoria.

The region first leaped into prominence 15 years ago with a "dump of death" episode in the Rand Daily Mail.

The newspaper reported that British and American multinational companies had literally abandoned dumps of lethal asbestos fibres that were killing local people.

Some limited remedial action has since been taken. But in January this year a local chief, Godfrey Thebezane, confronted several backers and equipment used to test people for lung diseases and to supply some of the region's 30 villages with uncontaminated water.

The equipment, as well as hundreds of tons of asbestos material, is locked up at the nearby Mafile police station while locals and the doctors who paid for it are unable to use it or release it, so they can get on with their work.

The dispute stems from conflict between two community factions — one aligned with tribal leaders and the other with activists who formed committees to deal with problems created by the asbestos mines that operated in the area from early this century until the late 1970s.

Without their backing, members of the Mafile Health Committee — founded by the activists in the late 1990s — cannot carry out their monthly outreach visits to former asbestos miners in Grootehuk hospital district.

There they undergo tests that show about half of them suffer from asbestosis and other untreatable lung diseases caused by exposure to asbestos fibres. Those with the disease are eligible for average lump sum compensation of R100 000. The payment can be as high as R300 000, depending on the extent of the disease.

"The fact that an ambulance can't be held in a police station for four months is too much," said Zach Mabotja, a Mafile community leader. "Effectively asking people for a six-months salary gets depressed for chest-related illnesses has stopped."

The four-month shutdown of the programme has so far cost residents of Mafile an estimated R2 000 000 in lost compensation. This is in a community that one doctor who has worked in the area has described as one of the poorest communities in the poorest province in South Africa. The average per capita income in the province is about R800 a month, but it is lower in Mafile.

The struggle between community groups and the tribal leaders has also prevented members of the Mafile Water Committee from carrying out tests to provide clean water to surrounding villages.

Without clean water sources, women and children continue to wash their clothes in streams contaminated by the asbestos mines.

The fact that an ambulance can't be held in a police station for four months is too much.

"If they brought the equipment today we would be able to do tests in the next day and report it," said Willem Polanana, the deputy chair of the water committee. "As a result, some people are even using the results of the tests from before and I'm not sure how accurate those results are.

The health of our community is being affected by this. We have people who are in hospital with chest-related illnesses."

Neither Thebezane nor the local police would discuss why the committee was kept out. But the Mafile Community Centre was under lock and key. But local politicians, civic leaders and members of donor organisations blamed the problems on the power battle between the local tribal and local government committees formed in the late 1990s.

The chief's opponents say he saw the committee's work as a threat to his authority. They say the conflict grew after a local civic group modern opposed Thebezane's actions to the Mafile health committee in 1991.

Asbestos and the lung diseases it causes are part of life in Mafile and other former mining communities and were tied to the Sedibeng region between Pretoria and Burgersdorp. Blue, green-tinted asbestos from mines near the Mafile and both

Natives. When the toxic asbestos clung to the mountains around them, they were taken to the mines and were not allowed to leave. When they died, their bodies were thrown into the river and left to rot.

Now, the health of their communities is being affected by this. We have people who are in hospital with chest-related illnesses."

People who did not work for the mines are not eligible for compensation when they develop lung diseases. Neighbours of the former miners have ever offered to clean up or pay compensation. The government has no plans for further cleaning-up or greater compensation.

Sitting in the shade tree outside the locked community centre in Mafile, executive committee members say they are doing what they can to ease the pain of the mining past. But until they can resolve their political problems and get their hands back, they can't even untangle a few dirty old old mines in the hospital to enable them to qualify to receive their pitance. Ordinary people, extraordinary problems. Thousands of residents of Mafile in the Northern Province suffer from lung disease because of asbestos mining in the area.

Open sesame. The mafile community centre is locked and key. But local politicians, civic leaders and members of donor organisations blamed the problems on the power battle between the local tribal and local government committees formed in the late 1990s.
Two miners killed and two injured after rockburst on Rand

Johannesburg - Two miners were killed, two seriously injured and a fifth was missing after a seismic event of 2.8 magnitude at Western Deep Levels, near Carletonville, the Anglo American Corporation said here.

The seismic event triggered a rockburst in a gully on level 106 East Longwall about 2,200m below the surface.

The injured men had been admitted to the Western Deep Levels Hospital, a statement said.

Rescue teams were continuing the search for the missing man and further details would be released later.

The names of the dead would be withheld until their families had been told, the statement added - Sapa.
Mine toll nine as last missing body found

ARGUS CORRESPONDENT

Johannesburg - The body of the last miner missing after earth tremors at Deilkaal gold mine near Carletonville was found about 2.6km underground today, bringing the toll to nine.

Gold Fields of SA spokesman Andrew Davidson confirmed that rescue workers had found the body of the last missing miner.

A further 24 men were injured, two of them seriously, after two seismic shocks at the mine's No 1 shaft.

Rescue teams had been working round the clock since the accident at noon yesterday.

They looked tired as they managed the operation from the surface today.

Progress in the operation had been slow, as conditions were difficult, Mr Davidson said.

Working almost 3km below the surface the rock has to be removed manually, as there is limited space in deep-level mines on the West Rand to bring in machinery.

"Rescue workers are forced to use hand tools and even hands to remove the fallen rock," he said.

There had been about 100 people on the work area at the time of the accident, said Deilkaal chief personnel officer Alwyn Grobler.

About 4,000 men had been underground at the time, but the effect of the tremor had been confined to one area, he said.

The mine management had already begun to contact families of the dead and injured, many of whom were migrants.

The names of the dead miners will be released only after their next of kin have been located.
Mine death toll rises to eight

The death toll from two earth tremors almost 25km underground at Deelkraal gold mine near Carletonville yesterday has risen to eight and two men are still unaccounted for.

Gold Fields spokesman Andrew Davidson said this morning 24 men were injured, two of them seriously, after two seismic events registering 2.2 and 3.3 on the Richter Scale at the mine’s Number 1 sub-shaft.

Rescue teams, which had been working round the clock for 19 hours since the accident at noon yesterday, were continuing the search for the two missing men, but progress at that depth was slow as conditions were difficult, Davidson said. “The rock has to be removed manually as there is limited space to bring in machinery.”

Staff Reporter

Star 8/6/97
Battleground of old and new South Africa is on the mines

INSIDE LABOUR

(THE) 9/15/94 (219)
Probe into 9 mine deaths begins today
even 9/5/97 (2/12)

Concern from minister, union at high rate of fatalities from

'nature's way of fighting back'

BY CELIA RUSSELL AND STUART KELLY

An investigation into the deaths of nine miners at Deelkraal gold mine near Carletonville on Wednesday will begin today, mine production manager Rodney Hart confirmed yesterday. Nine miners were killed and 24 injured after two seismic events registering 2.2 and 3.3 rocked the mine's No 1 shaft on Wednesday.

The body of the last unaccounted for miner was brought to the surface by 10am yesterday, after a rescue operation lasting nearly 24 hours.

Minister of Mineral and Energy Affairs Pen nell Maduna flew up from Cape Town yesterday to visit the mine and the injured miners at Leslie Williams Memorial Hospital at Carletonville. He was accompanied by a National Union of Mineworkers delegation.

"Mine management was grateful that the minister had taken the time to visit the mine to express condolences to the families of the dead and to comfort the injured workers," Hart said.

The minister expressed concern to Deelkraal's management about the high rate of fatalities and injuries in the mining industry and said more money should be spent on research into the causes of rockbursts in mines.

Currently R200-million was being spent on research, in a combined government, union and mine-owner-funded research project, Hart confirmed.

Speaking on behalf of the minister last night, chief inspector of mines Dick Bakker said the minister was deeply concerned and was in the process of setting up an inquiry into the accident.

"About 100 deaths every year are recorded as a result of seismic activity - most of them in Carletonville," Bakker said.

NUM spokesman Ben Malapoo said two miners died for every working day in the year and 77.2% of fatalities followed accidents underground. "Although the statistics are horrifying, accidents are so common they don't even make the news."

Bakker said seismic activities were "nature's way of fighting back against intrusions into the rockface."

"They are particularly prevalent in deep gold mines, especially in the Carletonville area, for all sorts of geological reasons," he said.
Bonile Ngqiyaza

DESPITE a dramatic improvement in safety at gold mines and the fact that the industry's safety performance was at its best, it was attracting the worst criticism, Wits University business economics and insurance professor Robert Vivian said yesterday.

At the National Occupational Safety Association annual occupational health, safety and environment convention in Johannesburg yesterday, Vivian said fatality rates for gold mines had declined markedly since the early 1970s.

Thus, he said, coincided with the introduction of mine safety management systems.

"The mining industry has reached the lowest fatality and accident rates in its history," Vivian said.

"When there are fewer persons being killed or injured in accidents, we now find that mine safety is criticised and courts trying to put employees in jail."

Referring to the 1986 Knorhoek disaster, which claimed 177 lives, and other disasters that followed it, he said that examinations of mine safety performance after almost every major disaster made it clear that a statutory safety requirement had been contravened.

"It seems to me quite clear that the statutory requirements are generally not given sufficient attention in safety programmes, and that a need exists for a programme to remedy this defect."

A number of company audits he had conducted to test the degree to which statutory requirements were implemented, revealed that only about 15% of the requirements had been complied with.

Vivian said statutory risk programmes needed to be integrated into the existing system control process and not seen as a new, separate type of programme.

He said a survey he had carried out on safety instructions in one organisation had found six sets of written safety instructions prepared by different bodies for a largely illiterate labour force.

"The thrust of a statutory programme is to find a way to implement the statutory requirements and not create a further programme," Vivian told delegates at the workshop.

He suggested the appointment of a compliance manager and statutory lists, among other measures.

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Micor Industrial Corporation Limited
(Incorporated in the Republic of South Africa)
(Registration number 87/0133/06)
("Micind")

Acquisition of Goscor (Proprietary) Limited ("Goscor") and its subsidiaries

1 Introduction

HSBC Simpson McKee (Pty) Limited is authorised to announce that Micind has entered into an agreement in terms of which Micind has acquired, subject to the fulfilment of the condition precedent, the entire shareholders' interests in Goscor and its subsidiaries ("the acquisition") with effect from 1 April 1997 from, collectively known as the vendors:

- Parkmore Gardens CC;
- E A Faber (Proprietary) Limited;
- The Siddle Family Trust,
- Inmalkaar Trust; and
- Saracen Filter Company Inc.
Call at memorial service for more money to detect seismic activity at mines

By Cecilia Russell

Not enough has been done to make conditions underground safer for miners, National Union of Mineworkers vice-president Senzeni Zokwana said yesterday.

He was speaking at a memorial service for 10 miners who died at Deelkraal gold mine near Carletonville last week.

Thousands of miners and their families from Deelkraal and other mines gathered at the mine’s hostel for the service.

Ten miners died and 29 were injured in two accidents at the mine last Wednesday. One miner died in the first accident, which was caused by a “seismic event” registering 2.2 on the Richter scale. This was followed a few hours later by a second “seismic event” registering 3.3 on the Richter scale, which killed nine more miners.

“The Government has pledged financial assistance for research, but the amount is not enough to deal with seismic detection,” Zokwana said, adding that not enough had been done to minimise accidents.

Workers and management should ensure that the Chamber of Mines focused on accidents caused by seismic events.

Dick Bakker, acting director-general of mineral and energy affairs, paid tribute to those who risked their lives to rescue the injured and bring the dead to the surface.

The new Mine Safety and Health Act empowered workers to combine resources with management to make mines a safer and healthier place, he said.

Bakker later told The Star that the Government had pledged R26-million for research into mine safety, of which about R10-million was being spent on research into seismic events.

He said it was essential that the findings and the newly developed technologies be implemented to create safer environments for miners.

The names of the dead are: Mishack Buthelezi (29), Antonio Joao (42), Elphius Khwaza (39), Sinyeliso Mabhuze (41), Mphathi Magagula (35), Raphael Manci (27), Daniel Moludi (48), Moshao Motsoane (26), Wiseman Stiya (38) and Lazarus Tsoeu.
Mine worker deaths up to 110

Reneé Grawitzky

TWENTY-one mine workers had died in accidents on gold mines over the past four weeks in the Carletonville region alone, the National Union of Mineworkers (NUM) said yesterday.

Statistics collated by the mineral and energy affairs department showed that during the first four months of the year, 94 mine workers had died on gold mines compared with 121 during the corresponding period last year. However, the recent spate of mine accidents on gold mines in the Carletonville region alone had increased the death toll to more than 110 for the year to date.

NUM media spokesman George Malebatsi said all the mine workers were killed by rock falls following seismic events between 2km and 3km underground.

He said it was acknowledged that deep-level mining was very dangerous, but alongside extraction processes more money had to be put into research to minimise such accidents.

Acting mineral and energy affairs director-general Dick Bakker said the link between seismic events and mining was difficult to prove.

However, the department would ensure that it had all the expertise available to assist in the inquiries into the recent accidents.

The NUM claimed the new Mine Health and Safety Act was not being implemented fast enough.

Bakker said all the tripartite structures in terms of the new act were in place and the parties were on the point of establishing the Mine Health and Safety Council, which would advise the minister on health and safety matters.
600 die in SA mining accidents each year

RESCUE workers toiled for over 24 hours in search of trapped mineworkers recently after two seismic events at Deelkraal goldmine, a goldmine owned by Gold Fields in Carletonville.

The incident left 10 mineworkers dead and 24 injured.

This was the second underground earth tremor to hit Deelkraal goldmine in less than two months.

Two miners were killed in March by an earthquake at the same mine.

Describing the ordeal, one survivor said he could not remember how he survived the accident.

"We were trapped under a huge boulder, about three kilometres down in the bowels of the earth. I thought I was going to die," says Mr Petrus Mbotha who escaped with minor head and body injuries.

He shudders as he recalls helplessly watching a colleague dying a slow and agonising death from injuries he sustained during the tremor.

Although the mine management has named "mother nature" as the culprit, the accident highlights the lack of concern for mineworkers' health and safety.

According to official statistics, mining accidents kill over 600 miners every year with disasters occurring every five years.

A recent report by the Department of Labour states that two miners die every working day in South African mines.

"And despite this alarming statistic, mine managers tend to view the high accident rate as an unfortunate but inevitable consequence of South Africa's mineral mining industry," the report laments.

Although the accident has been reported as a natural phenomenon, Dr Michael Barry, a medical officer with the National Union of Mineworkers says "We should not just believe the mine owners when they tell us that the cause of the accident is an earth tremor."

"There are a number of incidents that can lead to this kind of accident, like rock falls and rock bursts."

Just rock fodder

Barry says mineworkers are generally regarded as "just rock fodder" in the mining industry.

"They are just an integral part of the process of extracting minerals from underground and nothing more."

According to the study conducted by the Epidemiology Research Unit of the Medical Bureau of Occupational Disease in Gauteng, an 18-year-old man starting a career as a miner has one in two chances of being permanently disabled as a result of an accident or disease during his career.

While visiting the injured at the Leslie Williams Memorial Hospital, Mineral and Energy Affairs Minister Mr Penuel Mdluli expressed concern at the high rate of mine accidents.

He said more money was needed to be spent on research into rock burst causes on the mines, adding that an inquiry into the Deelkraal disaster would soon be conducted.

NUM president, Mr James Motlaisi has accused the mines of having "inadequate and insufficient" safety measures in place.

He says the process of mineral extraction should run parallel with research on health and safety of the workers and that money set aside for research by both Government and mine management was inadequate.

Motlaisi says while research cannot stop accidents totally, it can minimise the rate at which they occur.

"It is a well known fact that the deeper you mine, the higher the chances of getting more earth tremors. So mine management do not have a proper safety strategy regarding deep mining. They only think about the mineral extraction," he says.

Deelkraal Gold Mine is one of the deepest mines in South Africa - 2.7 to 3 kilometres deep - Africa Information Afrique.
The cost of living after death

Angelo for disaster

Millions more from

Wife claims

Vicisitudes of the railroads locomotive accident exhibit desperate compensation reports

Fernal Hattery
Asbestos mining companies suppressed findings — claim

CAPE TOWN — Asbestos mining companies suppressed the findings of scientific research in the 1980s which documented the health risks of exposure to asbestos, the Truth and Reconciliation Commission was told in Cape Town yesterday.

The claim was made in a submission by the health and human rights project, a joint initiative by the department of community health at the University of Cape Town and Cape Town’s trauma centre for victims of violence and torture.

The project said the role of the private sector in health-related human rights abuses had not been properly probed.

“Two industries which stand out in terms of complexity with repression, either overtly or covertly, are the pharmaceutical industry and the mining industry,” it said.

According to the submission, asbestos had been extensively mined in the Northern Cape, particularly near the towns of Prieska, Kuruman, Penge and Koegas.

From the 1960s the pneumococci research unit of the Council for Scientific and Industrial Research began investigating the relationship between asbestos and cancer.

The findings by Prof Ian Webster, published in a confidential report on April 30, 1962, showed that the risk of contracting asbestosis in the asbestos mining areas was extremely high.

Webster said he had found “an alarmingly high” number of cases of mesothelioma of the pleura among people who lived or had lived in the northwestern Cape area. There was evidence, he said, that this condition was associated with exposure to asbestos dust.

Webster recommended that the industry, together with the mining department, immediately take steps to assess existing dust control measures and disposal methods.

According to the project, the mining companies refused to sanction the publication of Webster’s finding unless the cancer hazard was “passed off” as tuberculosis.

“The report was therefore not published or made available outside the unit, except to the group that had been directly involved in the survey,” the submission said.

This was not the first or last time that scientific findings unfavourable to asbestos companies were suppressed.

In the 1970s the national research institute for occupational diseases of the Medical Research Council of SA carried out research on the risks of asbestos-related diseases in workers in asbestos mines.

The findings showed that the risk of death through asbestosis or cancer of the lungs and stomach was increased in blue asbestos mining areas.

The findings were due to have been presented at a conference of the New York Academy of Sciences in June 1978.

However, the two researchers were instructed to withdraw their paper.

“There is evidence that this instruction was issued at the request of the asbestos mining companies in the Northern Cape who wanted to prevent evidence being disclosed,” the submission said.

The study was reworked and released in 1986.”
Dissillusioned Swazi Farmers Want Cotton Laws Unveiled
Rockfall kills two goldminers

JOHANNESBURG: Two miners were killed in a rockfall at the Vaal Reefs gold mine's Number Two shaft near Orkney on Wednesday night, Anglo American Corporation said yesterday.

The rockfall, which occurred about 2km below the surface, followed an earth tremor measuring 3.2 on the Richter scale.

24 Oct 97
NUM urges cooperation in safety field

By Abdul Milazi

GOVERNMENT and trade unions should work together to improve health and safety and create "accident-free" mines, National Union of Mineworkers (NUM) president James Motlatsi said yesterday.

Motlatsi was speaking at the launch of five mining committees by the Ministry of Mineral and Energy Affairs to advise Minister Mr Penuel Maduna on the formulation of new health and safety standards for the mining industry.

"The period ahead is very challenging. We should ensure that there is never another Rooyevale or Vaal Reefs disaster again," said Motlatsi.

He said the two disasters - which claimed the lives of almost 200 mine workers in 1995 and the subsequent report by the Leon Commission into mine safety, "exposed the negligence of health and safety on the mines by employers and relevant state department officials."

"Solutions must be found at mine level, because it is there that major challenges will emerge," said Segal.

Maduna also launched the Mining Qualifications Authority which has been given the task of developing and implementing a framework of education.
Minister launches two bodies to look at mine health and safety

By Patrick Phosa

Mining health and safety issues had tainted and denied the image of the mining industry, and the challenge was how to manage the crises, Mineral and Energy Affairs Minister Ponelwile Maduna said yesterday.

He was speaking at the Mintek auditorium in Randburg during the historic launch of two advisory bodies to look at the restructuring of the health, safety, education and training strategies for the mining industry.

The launch of the bodies, made up of state departments, employer and labour organisations, is in line with provisions in the Mine Health and Safety Act.

The industry continues to be plagued by accidents. About 110 miners were killed in gold mines last year and more than 94 mineworkers have died on gold mines in the first four months of this year.

Ten miners died at Deebrook gold mine near Carletonville in May. In November last year, 16 mineworkers were buried alive in a massive mudslide in Kroonstad's Rovic diamond mine. On May 10, 1985, 104 mineworkers were killed at Vaal Reefs gold mine when a locomotive plunged down a shaft.

Maduna said the act provided for workers' participation in matters of health and safety through health and safety representatives and committees at mines. It also promoted co-operation and consultation on health and safety among state departments, employer and labour organisations.

He said the tripartite institutions, the Mine Health and Safety Council and the Mining Qualifications Authority would advise him on health, safety education and training issues at the mines.

Maduna said the bodies should make the department's slogan, "minerals and energy for development and prosperity", a reality by minimising human loss and suffering caused by occupational ill-health and accidents.

Labour representative and National Union of Mineworkers president James Motlati welcomed the launch of the institutions, saying the period ahead was challenging and all the stakeholders should make every effort to avoid another mine disaster.
Mine disaster case begins with on-site inspection

Bonile Ngqiyiza

THE case against Vaal Reefs and seven people implicated in the 1995 disaster at its mine began this week in the Klerksdorp Regional Court with an in loco inspection.

The inspection was carried out after defence lawyers had asked to visit the scene of the accident before cross-examining a state witness.

The case, which began on Monday with testimony from Alfonso Motemekoane — a state witness — is a sequel to the Vaal Reefs mine disaster in May 1986, in which 104 miners were killed when a locomotive crashed through a safety barrier and fell on a cage in which they were being carried.

Defence lawyers argued at the start of proceedings that it would be difficult to proceed with the cross-examination of Motemekoane on some parts of his testimony without them being acquainted with the geographical layout of the mine.

The presiding magistrate, Louis Vertue, ruled in favour of the request and arrangements were made to visit the site yesterday.

Seven of the accused — Anglo American-owned Vaal Reefs Exploration and Mining Company, Frank Khosa, Victor Caka, Mindisi Qubha, Hendrik Jakobus Wood, Martinus Van Rensburg and Jack Mpota — have been charged with culpable homicide.

Some of them faced additional charges of contravening the Mines and Minerals Act, state prosecutor Henne Geldenhuys said.

Recommended

The eighth person accused, Louis le Roux, faced charges of contravening the Mines and Minerals Act and attempting to defeat the ends of justice, he said.

The court case has been set down for three weeks.

In April last year, a joint inquiry recommended that Vaal Reefs mine, owned by Anglo American, as well as five of the mine’s employees, be prosecuted following the death of the mine workers.

In their report, Judge Ramon Leon and two assessors, Arnold McKenzie and May Hermanus, urged the attorney-general to prosecute two contract workers from Concor, an underground electrician, the shaft mine overseer and the section engineer.

Mpota, the driver of the locomotive 548, which fell down the shaft, smashing into a cage carrying 104 workers, was found negligent for contravening section 37 of the Act by endangering the safety of employees.

Charges of defeating the ends of justice against Le Roux relate to a finding in the report that he tampered with documents before giving evidence to the joint inquiry on the disaster.

The report found that certain employees had failed to disclose crucial information about the state of the locomotive to the police, mineral and energy affairs department officials and mine management, despite knowing about it before the accident.

Court to stop closure

Michael Hartack

Harare — The US Agency for International Development (USAid) plans to give a further R80m for a low-cost housing development in Harare, despite a scam that led to leading figures randing a fund to finance palatial homes.

Among those alleged by a high court judge to have jumped “onto the gravy train” without observing legal norms were former Finance Minister Robert Mugabe’s wife, Grace.

A USAid statement said sufficient funds for $5m would be provided in the period July 1997-December 1988 — thus in addition to $50m already given.

US spokesman said last month they hoped US assistance to Zimbabwe’s national housing fund had been kept distinct from monies now under investigation in the “houses for politicians” scandal.

Judge George Smith said at the time there was evidence that Grace Mugabe had received a R700 000 concessionary loan, among others in a list reading like a “who’s who” in the ruling Zanu (PF) party.

Up to R60m had to be accounted for, the judge heard.

Anger at the invasion by prominent persons of funds intended for the needy caused at the Zanu (PF) headquarters on Monday when 100 destitute ex-guerrillas held ruing party chiefs Dudyumutasa and Joseph Masika hostage in their offices for more than two hours.

Riot police eventually forced the protesters out of the building, where they had been seeking immediate reimbursement of payments from the war disabilities fund, intended to assist crippled ex-guerrillas.

Payments were suspended when it was revealed that many who had never fired a shot in the 1972-80 war to oust white rule had received up to R557 000 for “90% disabilities”.

However, these disabilities apparently did not impede their careers.

Grace Mugabe’s brother, Raimundo Marufu, and former opposition leader Edgar Tekere were among the beneficiaries. Other beneficiaries of these disability pensions were ministers, members of parliament, security force and Central Intelligence Organisation commanders.

Mugabe’s wife, Grace, some of whom have been named in the scandal, has prevailed on appointing an inquiry into R180m claimed in “war disability” funds.

Women ex-guerrillas who received substantial payments, on the grounds they were raped in training camps have threatened to name their abusers if told to repay their cash.

USaid undeterred by funding scandal

Company (Africa) Limited
Rockburst kills 9 miners, traps 10

Proto teams search for men 2km underground; 30 more injured

BY SHIRLEY WOODCUTT,
MATTHEW BURRIDGE AND SABA

Nine miners have died, 30 have been admitted to hospital and 10 are trapped 2km underground at the Hartbeesfontein gold mine after a rockburst caused by an earth tremor at 10:45am yesterday.

Rescue teams toiled throughout the night at the Avgold mine near Stilfontein in North West province to reach those still trapped in the rockfall triggered by the tremor which measured 5.7 on the Richter scale, said mine spokesman Julian Gwillaime.

A further 40 injured miners were brought to the surface yesterday and treated for injuries at the medical station on the shaft.

The bodies of four of the dead men are still trapped underground and five bodies have been brought to the surface.

The proto teams located none of the missing miners last night and Gwillaime said rescue teams were talking to a small group of trapped miners found after a 15-hour search in choking dust through rock and collapsed mine excavations.

The rescue workers established voice contact with the trapped men through a rock face. Gwillaime said it would take hours to break through and bring them to the surface.

Two trapped miners with whom rescue teams established contact late yesterday were brought out alive and two more bodies were found by proto teams down the mine overnight, he said.

One of the injured men who was in the intensive care unit at the Duff Scott Memorial Hospital has been stabilised, while 30 of the injured were admitted to general wards at the hospital.

The tremor was felt in surrounding towns, including Klerksdorp. Mine tremors are common in the area.

In January two miners were killed in an underground locomotive accident at the mine and in April 260 miners had to be evacuated after a fire broke out 2km below the surface.

The mine which began shaft mining in 1953 is nearing the end of its life and chairman Basil Herosov said in his annual statement to shareholders in 1985 that it had an operating life of 10 years.

Mine production manager Ian Sinclair said many of the injured men had broken limbs, bruising and scratching.

Sixteen were taken to the hospital on stretchers, others were able to walk, with or without assistance.

The earth tremor, known as a "colli tremor", caused two rockfalls at distances of 300m and 1300m away from its epicentre.

Sinclair said 1800 miners were working at 2km below the surface, when the earth tremor struck.

Rescue operation Belarmino Massango, member of a proto rescue team, waits to descend to the accident level last night in search of survivors.
Search on for miners

RESCUE teams were last night probing through dust and rubble in search for 16 miners trapped 2km below the surface after a massive rockburst at Avgold's Hartbeesfontein Gold Mine.

Three miners were killed and 46 were injured when an earth tremor precipitated the rockburst at the mine near Stiffontein in North West at 10:45am yesterday.

One of the injured was in the intensive care unit at Daff Scott Hospital, while another 31 were being treated in a general ward.

By 11pm last night rescue teams had located some of the missing miners Avgold spokesman Mr. Julian Gwilling said the teams were talking to a small group of the missing miners found after a 12-hour search in choking dust through rock and collapsed mine excavations.

The rescue workers established voice contact with the trapped miners through a rock face, Gwilling said. It would take hours to break through to the group and to bring them to the surface. It was not known how many of the missing miners had been found.

Gwilling said the rescue teams would not call off their search until every miner was found.
Mine accident survivors tell of their ordeal

By Morgan Naidu

BRUISED and battered, fighting the excruciating pain of sore limbs and fractured bones, 32 of the miners who were miraculously rescued after an underground tremor killed 10 of their colleagues, spoke of their ordeal yesterday.

The seismic event caused a huge rock formation to collapse at the Hartebeesfontein Gold Mine in Stilfontein during the mine’s busiest time of operation on Monday morning.

Last night rescue workers and mine employees were still working frantically to find eight missing miners amid fears that the death toll may rise.

The force of the seismic shift affected work areas at the mine within a 5km radius. Employees said the tremors caused by the seismic shift was felt on mine networks as far afield as Carletonville, Welkom and Pretoria.

Yesterday North West Premier Popo Molefe visited some of the injured miners who were admitted to the mine hospital.

Molefe was accompanied by union officials and the top brass of the mine and its parent company, Avgold.

“It all happened suddenly. There was this huge noise and it became very dark. I then lost consciousness,” said Mr Samuel Khoza, who was lucky to escape with lacerations and a bruised head.

Underground team leader Mr Fasto Joko said he was now afraid to return to work in the mine. “One minute we were checking the site as usual and the next I was unconscious. I woke up in hospital and keep having dizzy spells,” he said.

Powerful tremor

Hartebeesfontein training manager Mr Andy Beytell said the tremor was a powerful one, causing lights on the mining site’s offices to go off and pieces of tiles to come loose.

Mine manager Mr Ian Sinclair said the power and force of the tremor was significant given the size of the mining shaft in which the seismic event occurred.

Some of the damaged work areas would “need some time before they can be operational again.”

The victims’ names have not yet been released as their next of kin have yet to be informed.
Exhausted ... mineworkers involved in the rescue operations return to the surface after finishing an 8-hour shift
Mine disaster's death toll is 15, three missing

BY SHIRLEY WOODGATE
AND SAPA

The death toll in the Hartebeestfontein gold mine disaster has risen to 15, and there is little hope that the three miners still missing will be found alive after being trapped under rubble for almost 48 hours.

Two more bodies were recovered from the Avgold mine near Stilfontein in the North West last night, and efforts teams were reasonably certain of the position of two others, a mine spokesman said today.

Two of the 45 injured miners were still in intensive care today, one in the nearby Duff Scott Memorial hospital, where 31 colleagues were being treated, and the other in the Rand Mutual hospital in Johannesburg.

Miners from all divisions of the North West mine rushed to assist with the rescue of colleagues after an earth tremor measuring 3.7 on the Richter scale triggered a rockburst in shaft four, killing some and trapping other miners more than 2km underground on Monday morning.

Of the 46 miners injured in the accident, 20 have been discharged from hospital.

Speaking from the control centre at the mine, manpower manager Peet Nieman praised the co-operation between all parties, which he described as "absolutely an outstanding feature of this whole rescue".

"There was no need to ask for volunteers. The people from all the shafts offered their help," Nieman added that there had been "tremendous support" from all the unions.

Deputy Minister of Energy and Mineral Affairs Susan Shabangu announced after visiting the mine with a top-level delegation yesterday that a government investigation, possibly headed by a judge, would be launched.

The department's acting director-general Dick Bakker said Hartebeestfontein gold mine, which had a top safety rating, complied with all the industry's safety requirements.

The National Union of Mineworkers' branch chairman Eric Mahlalumi said there was talk that the area was dangerous, but he said the official inquiry would determine the cause of the accident.

*Pictures*
Little hope for nine miners trapped in Hartebeestfontein rockfall

WITH nine miners confirmed dead and another nine missing, pressure was mounting last night for the rescue of miners trapped underground at the Hartebeestfontein mine near Stellenbosch in the Western Cape. The mine's operations had been suspended after a rockfall on Monday afternoon.

A rockfall was allegedly caused by a strong tremor measuring 3.7 on the Richter scale, but Deputy Minerals and Energy Minister Susan Shabangu said an investigation was being led by a judge to determine the cause.

Several reports said 10 miners were killed, but mine management confirmed only seven were killed and nine others were still in hospital. A rescue team had been dispatched to the mine.

Co-operator Concessionaire Des Anderson, who rated it the worst disaster since he began working there three and a-half years ago, said: "We are still hopeful, but our hopes are diminishing." He said his team was working in a confined area and were clearing most of the fallen rocks by hand.

Shabangu also said investigations into seismic events in the mining industry would be intensified by the National Committee on Mine Safety and Health Committee, Minerals and Energy Advisory Committee and the Rescue Research Council.

Pearl Schoeman, a top safety consultant, said the country's safety requirements were not as stringent as those in some other countries. Conrad Schoeman, the director-general of the National Committee on Mine Safety and Health Committee, said the condition of the mine was "critical", and that it would be closed for at least six months.

The government had failed to investigate the mine's safety standards, but a further report had been made in regard to this.

"We call for immediate action from the government on this front," Schoeman said.

The government had failed to investigate the mine's safety standards, but a further report had been made in regard to this.
Death toll at

gold mine

rises to 15

Johannesburg - Two
more bodies were recov-
ered at the Hartebeest-
fontein gold mine in the
North-West in the course
of last night, raising the
number of miners con-

firmed as dead to 15, a
mine spokesman said
early today.

Three others are still
missing, and hopes are
fading that they will be
found alive, he said.

With the rescue mis-
sion continuing, the
spokesman said proto-
teams were reasonably
certain of the position of
two more bodies, but did
not know the where-
abouts of the remaining
miner.

Twenty-six
injured miners were still
in hospital early today.

Forty-six miners were
injured in the accident,
20 of whom have since
been discharged from
hospital. - Sapa
Only one mine accident victim has not yet been located

BY MATTHEW BURIDGE

Rescue teams at the Hartebeestfontein mine say they have located two of the last three miners unaccounted for after Monday’s rockburst, but do not expect them to be alive.

Vaughn Duke, the mine’s technical services manager, said workers believed the third miner had been just behind the other two when the seismic event, pegged at 3.7 on the Richter scale, triggered the fatal rockburst.

Last night workers were trying to gain access to the trapped miners through an alternative gully.

Fifteen miners have been confirmed dead.

Duke said mine management wanted to be absolutely sure that workers were not at risk in the dangerous rescue operation, so hydraulic jacks were being used to shore up the hanging wall (the roof) and the foot wall (the floor) of the collapsed passage.

“It’s a big concern. If there’s another seismic event, anyone in there is going to get caught, so we’re not taking any unnecessary chances,” he said.

Two of the 46 injured miners were admitted to the intensive care units of Duff Scott hospital, Stilfontein, and Rand Mutual hospital in Johannesburg. They were said to be in a stable condition yesterday.

Some of the 31 miners being treated at the Duff Scott hospital may be released today.

Production has resumed in other shafts at the mine.
Sombre scenes at gold mine

History of disasters

- In the worst disaster in South African mining history, 177 miners lost their lives at the Kromies gold mine in the Eastern Transvaal after a fire ignited polycrystalline foam on September 16, 1986. A man was charged with negligence and fined R100.
- In 1994, 485 people died in mining accidents. Seventeen of them died when the Harmony Mine's dries dam burst and flooded Malmesbury in the Free State and 16 more died in an underground fire at Kromies's coal mine, near Middleburg.
- In 1995, 353 people died in mines, including 104 miners who were crushed when an underground locomotive landed on top of a loaded lift. Nine others were found to be alive.
- In 1996, 110 miners died in accidents. Twenty-one of these fatalities occurred in mines in the Caillouville area. Ten men died at the Libotonders coal mine near Klokga in March, while attempting to rescue a trapped worker.
- In May, a year, 10 died at the Diekloof mine near Carletonville. The Congress of South African Trade Unions yesterday expressed shock and grief over the death of miners at Ngakga's Hartbeesfontein mine and decried the "ongoing slaughter" of miners. - Staff Reporter

Mercy mission ... scores of people were involved in rescue operations at Hartbeesfontein gold mine after Monday's rockburst. Rescuers worked long shifts under grim conditions to bring injured and dead miners to the surface.

Screams and blinding dust, 2km below the surface

By Cecilia Russell

All that trapped winch-driver, Daniel Mudai, could hear seconds after a massive rockburst hit the Hartbeesfontein gold mine on Monday was the dreadful sound of miners screaming.

The thick dust, which later hampered the rescue operation, meant Mudai could not see all. He was panned to the ground by rocks which had fallen during the rockburst, or seismic event in geological parlance, measuring 3.7 on the Richter scale.

But soon he heard the comforting voice of his team leader calling: "Daniel, are you there?"

The team leader pulled him from the rocks and the injured Mudai then had to wait for the mine's Proto teams to rescue him.

Mudai was one of 64 people, in two stopes areas more than 2km below the surface, trapped by the rockburst. Thirty-two injured men, two of whom are in intensive care, were admitted to the Duff Scott Hospital. Today the death toll was officially put at 15 with three miners still unaccounted for.

While rescue operations began within minutes of the rockburst, the thick dust and the narrowness of the stopes (in places less than 1m high) meant that much of the operation had to be carried out very slowly. Rescue workers had to lie on their stomachs and form a human conveyor belt while slowly removing rubble to reach the dead or injured miners.

Yesterday after two bodies had been brought to the surface in quick succession, the mood on the surface at Number Four shaft was somber.

A moment of silence was observed during a visit from a delegation of people including the Premier of the North West, Popo Molefe, the Deputy Minister of Mineral and Energy Affairs, Susan Shabangu and the inspector of mines, Dick Bakker.

Bakker told the media afterwards that a commission of inquiry would investigate the disaster.

While he did not want to pre-empt the findings of the inquiry, he said superficial information gleaned during briefing had indicated that the mine had used optimal kinds of support for the stopes and that the mining methods were as safe as possible for deep-level mining. He said a R52 million re-search project was under way into seismic events.

Molefe said he was saddened about the events but there seemed to be no evidence to suggest that the accident could have been avoided.
Hopes fade for trapped miners

Nearly R4 million in production lost so far at Hartebeestfontein

By Morgan Naidu

Hopes of finding the three men still trapped after a rockfall at Hartebeestfontein gold mine at Stilfontein are fading. Nearly R4 million in production has been lost at the mine.

The seismic shift which led to the collapse of a huge rock formation killing 15 miners in the mine's No 4 shaft, measured 3.7 on the Richter scale and its aftershocks were felt as far afield as Carletonville, Welkom and Pretoria.

Yesterday Julian Gwiliim, a spokesman for Hartebeestfontein parent company Avgold, said conditions underground were extremely difficult for the rescue workers and extra precautions were being taken.

"The conditions underground make it difficult for the rescue workers to actually advance and we are also ensuring that a lot of work is done to set up safe support structures for the rescue teams to continue."

He said that the two shafts affected by Monday's seismic shift normally produced a total of 15kg of gold a day.

Production had come to a halt since Monday at the shafts, resulting in a loss of approximately R4 million for the week. Gwiliim added he said first priority was being given to the retrieval of the remaining miners underground.

Once this was accomplished attention would turn to repairing the damage caused to the shafts. The loss in production could therefore run into more millions by next week.

"This disaster is impacting overall on our production but we must complete the rescue operation before concerning ourselves with that aspect."

Gwiliim said each shaft on the mine had a medical station with trained people to provide counselling to those miners traumatized by the death of their colleagues.

"But the general support of both the employees and the unions as well as provincial and national government has been phenomenal," Gwiliim said."
Mine disaster victims buried

By Abdul Milazi

THE EIGHTEEN miners who were killed in a rockfall accident at Haartebeesfontein Gold Mine in Northwest a week ago were buried yesterday.

Thousands of mineworkers and relatives attended the funeral service at the mine's sports stadium, where speakers urged for the need for better safety standards on the mines.

Later the dead miners' coffins were taken to the local cemetery for burial.

A final and moving ceremony was held at the graveside.

The National Union of Mineworkers general secretary Mr Gwede Mantashe told mourners that working underground was dangerous and workers had the responsibility of learning about health and safety to avoid accidents.

"If the Government does not spend enough money on research, we will lose a lot of money through accidents," he said. The Government should finance research on mine accidents because employers could not afford to spend large sums on it.

"The deeper we mine the more important it becomes for us to know how the rock behaves," Mantashe said.

Anglo-Gold deputy chairman, Mr Reg Mesell, also conveyed his condolences to the bereaved.

More than 500,000 miners have lost their lives on South African mines since the turn of the century.

Over the same period two million miners have been injured in mine accidents.
Joint inquiry to look into mine deaths

Bened Grawitzky

THOUSANDS of mine workers gathered at Anglovaal’s Hartbeesfontein gold mine near Klerksdorp yesterday to commemorate the death of 19 miners who died last week following a seismic event.

The minerals and energy department indicated yesterday it had requested the Justice department to establish a joint inquiry into the accident.

A similar approach was adopted with the accident at Gold Field’s Deukraal gold mine, when 10 people were killed in a rockburst in May.

The minerals and energy department’s North West principle inspector, Lionel Naudé, said there was no prior warning of the seismic event at Hartbeesfontein.

He said over the past 10 years the industry had been conducting research into predicting seismic activity.

As part of continuing research, the Klerksdorp region had put in place geophones linked to a computer network to monitor underground activity and movements.

The usefulness of information gathered depended on interpretation, but that in turn was difficult because there were so many variables involved, he said. Hartbeesfontein’s 4A shaft has remained closed since the accident last week because of damage to the area.

Naudé said because of the excessive damage, exacerbated by further seismic activity during the rescue operation, it was unclear whether the area could be reopened. When 4A shaft was operational it produced 15kgs of gold a day.
Row over mine health claims

Renee Grawitzky

THE mining industry is set to be plunged into a year of uncertainty over workers' compensation for mine-related health claims.

The resource and welfare minister has announced the introduction of new legislation to give workers' compensation commissioners the power to determine who is entitled to compensation.

The minister said the changes would be implemented to provide a more equitable system.

However, the mining industry has warned that the introduction of the new legislation could lead to higher costs for employers.

The minister has defended the move, saying it was necessary to protect the rights of workers.

The resources and energy minister has also defended the changes, saying they were essential to ensure that compensation for workers' claims was fair and equitable.

The minister has also said that the new legislation would be implemented in stages to ensure that employers and workers were not disadvantaged.

In addition, the minister has defended the changes, saying that the mining industry was already experiencing difficulties due to the downturn in the resources sector.

The minister has also said that the changes would be implemented in consultation with the mining industry and other stakeholders.
Two mineworkers killed in ground fall

Two mineworkers were killed and four injured in a ground fall at Western Areas gold mine near Carletonville yesterday, Johannesburg Consolidated Investment announced.

JCI said two of the injured were out of danger and the other two were treated and discharged from hospital.

The fall of ground occurred as workers were drilling 2,000m underground. One worker was killed instantly and another died shortly after being rescued, JCI said. Rescue teams brought the other four members of the team to the surface.

An investigation, which would include Department of Mineral Affairs personnel and union and employee safety representatives, had been initiated. – Sapa 13/8/97 (212)
Four miners killed in blast

BY SHIRLEY WOODCATE

Four miners were killed and one injured "very critically" in an explosion at the Oryx gold mine near Welkom in the Free State at about 3pm yesterday.

The injured miner was admitted to the St Helena Hospital.

The cause of the explosion 1 800m below the surface is not yet known. It is believed no miners were trapped underground on the 21st level, Gengold spokesman Trevor Savage said today.

Representatives of miners' unions and authorities were on the scene and have started their investigations into the accident.

The names of those killed will be released once their families have been contacted.

government is under a need to act.

The recent events have highlighted the importance of taking decisive action. This is not just a matter of maintaining the status quo; it is about ensuring a sustainable future for all. The time for action is now, and we must act with urgency.

In conclusion, the government needs to address the challenges it faces head-on. Through strong leadership and decisive action, we can create a better future for all. It is time for a rethinking of our approach to governance.
Bureaucrats blamed for inspector crisis

Appeal to Cabinet over mine safety

Lynda Loxton
Parliamentary Correspondent

Cape Town — The minerals and energy department had been forced to seek approval from the cabinet for higher pay scales to counter the shortage of mine health and safety inspectors, Jan Bredell, the deputy director general of mineral development, told the parliamentary minerals and energy committee yesterday.

The move follows attempts to get approval from the public service, which were defeated by bureaucracy. The shortage of inspectors was delaying the implementation of the Mine Health and Safety Act passed earlier this year, he said.

The act, one of the recommendations of the Leon commission, is supposed to ensure that health and safety matters are given more priority on mines in the face of the country’s high mine accident rate.

Bredell said there was a shortage of skilled inspectors in the country. As a result, the department had launched its own training programme. But salary levels also played an important role.

“The fact that we are part of the public service makes it extremely difficult to single out this particular occupational task and to lift them above the rest because they are competing with other similar occupational groups, such as engineers, scientists and technicians,” Bredell said.

Numerous requests had been made to the public service and administration department on the issue, but had been turned down on the grounds that the matter would have to be negotiated and bargained for in the central bargaining council of the public service.

The department’s argument was that this was not a union matter but was one of the recommendations of the Leon commission, and should be implemented.

“We are taking the matter now to cabinet,” he said.

The department had 63 vacancies in its total complement of 220 technical staff, of which 48 were for inspectors. There were 44 administrative posts with 12 vacancies.

Bredell said any future legislation for the mining industry would depend on the content of the minerals and mining policy white paper now being finalised.

He said this focused on mineral rights, small-scale mining and the environmental effects of mining and would possibly be released early next year.

This meant that any relevant legislation would only be drafted by the end of next year. One of the most contentious aspects of the white paper is likely to be mineral rights, which Penuell Maduna, the minerals and energy minister, told parliament earlier this year should revert to the state rather than being mostly held in private hands.
Inquest into Deekraal mine rockburst begins

THE inquest into the rockburst which killed 10 workers in May this year at the Deekraal gold mine started yesterday with a solitary witness explaining the industry's jargon at the Arbitration Foundation of SA in Sandton.

Jacques Erasmus, senior mine inspector in the mineral and energy department, testified at a packed hearing chaired by Judge Ramon Leon and two assessors.

The general secretary of the National Union Mineworkers, Kgalema Motlanthe, other union officials and relatives of the victims were also present.

Ten people died and 23 were injured at the Deekraal mine, in the Carletonville area, in a rockburst at a depth of 2666m.

Two Deekraal mine managers, CA Strydom and SH Westcott, are expected to testify today to explain the layout of the mine and provide details of its management and organisational structure.

The testimony of Pumple Kwaasa and Sam Mabunda, two witnesses to the accident, who were scheduled to appear at the inquest on Thursday has been moved to next Tuesday.

Another 20 witnesses are expected to appear before the inquest into the rockburst, including colleagues of the victims, workers who were injured and mine supervisors.

Ten management representatives are also expected to testify.
‘Mine safety will always lose out to profit motive’

By Isaac Moledi

THE capitalist nature of the South African mining industry will always make it difficult for mining bosses to curb the risks in this sector, president of the National Union of Mineworkers (NUM) James Motlati said yesterday.

Addressing an exhibition on safety, health and environment at Gallagher Estate in Midrand, Motlati said in a speech read on his behalf that because of an urge for more profits by the mining bosses, safety in the South African mines remained a pipe dream.

Motlati said he did not believe that South African mines were any safer in 1997 than they were in 1987. He argued that because of the mining bosses' interest – making more profits – there was no progress in making the sector safer.

Various schemes introduced to curb mine accidents failed to materialise because of the character of the mining industry.

“My belief is that because of the capitalist character of the mining industry there is no possibility of taking the risks out of mining. "All we can hope for is to contain them, lessen their impact on mineworkers and, perhaps, alter their character so that they are not so fearsome," he said.

Motlati said he believed that the solution could be a strictly enforced safety regime or a culture where safety was paramount over all other issues.

Terrain of struggle

“Safety remains a terrain of struggle. The NUM will continue to press for priority to be given to safety although we are acting under constraints.”

He said mine safety could only be achieved by a commitment to it by everyone working underground.

The Mine Health and Safety Act, which was passed last year, could not guarantee the safety of miners, he concluded.
Desperate search for missing miners

STAFF REPORTERS

Rescue work continued in difficult conditions today to find the three missing miners after a rockburst caused the collapse of a shaft at Avgold's Hartbeesfontein gold mine in Stilfontein in the North West Province late on Saturday.

Three miners were killed in the tremor, which measured 3.3 on the Richter scale, at the mine's number two shaft.

This is the second accident at the mine this year.

In July, 13 miners were killed and 46 were injured after a rockburst at the mine's number four shaft.

The epicentre of the tremor was only about 150m from the area in which the miners were working 1,800m below the ground, Avgold manpower manager Peter Nieman said this morning.

"The rescue work is continuing in very difficult conditions, with rescue workers having to dig out the fallen rock to reach the place where the missing miners are situated," Nieman said.

Two mine accidents this year not related

A total of 41 miners were admitted to the Duff Scott Hospital in Stilfontein and a further 50 were treated at the mine's medical station. Most of the miners had been evacuated by late yesterday.

"We will continue with the rescue work until the miners are found," Nieman said.

Chief inspector of mines Dick Balke said rockbursts were, in many instances, unpredictable and were a result of mining in rock which for several reasons was unstable or under extreme stress.

"Most of the time we can figure out these fault lines and prevent many such incidents. Sometimes, however, mining at deep level interferes with these areas of instability. Rockbursts, philosophically speaking, are nature's way of fighting back," Balke said.

Nieman said the two mine accidents were not related.

"It has been unfortunate that we have had two incidents of this magnitude this year," he said.
NUM demands action on mine safety

Frank Nxumalo
Labour Correspondent

Johannesburg — Not enough resources were being invested in mine safety to minimise the loss of life and serious injury caused by the seismic tremors that had hit the Reef in recent months, the National Union of Mineworkers (NUM) said yesterday.

Last Saturday night a tremor measuring 3.9 on the Richter scale hit Hartbeesfontein gold mine near Klerksdorp, killing six mine workers and seriously injuring 41 others. In a similar incident in July at the same mine, 18 miners were killed and scores of others injured.

George Molebatsi, the NUM's national spokesman, said the risk of seismic activity increased with deep-level mining, and mining houses were not keen on implementing genuine safety measures as this cost money and production time.

He slammed mining houses for not doing enough to educate workers on their rights, such as refusing to work in dangerous places, as is required by the Mines Health and Safety Act.

Erwin in plea to Japan's bankers

Peter Kenny

“While the mine management strenuously argues that seismicity can neither be predicted nor prevented, it is the feeling of the NUM that not enough is being done for the safety of workers,” Molebatsi said.

He said the R28 million pledged by the government towards mine safety in July had not yet materialised.

While acknowledging that genuine safety cost money, NUM's president James Mollo said last week that black miners would not continue subsidising the mining industry with their lives.
The National Union of Mineworkers believes that accidents, like the one which killed three mineworkers and left another three missing in the debris at the weekend, could be prevented, given the expertise in the industry.

The accident happened at 10pm on Saturday in the North West Province on Agold's Hartbeesfontein gold mine when a tremor measuring 3.3 on the Richter scale shook shaft two of the Stifffontein mine, causing rocks to fall on to workers.

Forty-one workers were admitted to Duff Scott Memorial Hospital, where they are suffering from fractures, lacerations, abrasions and contusions.

Rescue operations started that night and rescue workers were still trying to retrieve the three missing workers yesterday. Mining activity had ceased in order to put into place structures to support the collapsed shaft.

Spokesman George Molebatsi said the NUM believed the three missing men were dead.

He added that this was the second accident of this kind this year to be caused by a phenomenon called seismicity.

Seismicity is the potential energy within rocks and may react to interference once a rock is opened, said NUM health and safety co-ordinator Welcome Mboniso.

“We are unhappy. Eighteen people have died this year. Now another three are missing and three dead. We feel that, given the expertise in the industry, accidents like this can be prevented. Mboniso said.

More research needs to be done in seismicity, and money should be invested in the Safety in Mines Research Advisory Committee.

The accidents should send a message to Government and the industry to prioritise safety in mines.”

Mboniso said the union had not yet been informed about the inquest of the first accident on July 21, when 18 workers were killed.

“The Government is holding out on us. We usually participate in these inquiries. A commission of inquiry should be initiated,” he added.
Search continues for three miners after earth tremor

Thea Reutner

THE search for the three missing miners believed to be trapped underground after Saturday's disaster at Hartbeesfontein gold mine in Klerksdorp continued yesterday.

A tremor measuring 3.8 on the Richter scale caused a rockfall near the mine's No.2 shaft in which three men were killed and 41 were seriously injured, two of whom are still in critical condition.

Rescue teams have worked 24 hours a day searching for the missing men. Hopes of finding them alive are fading.

The mine's human resources manager Johannes Engels said that contrary to the reports made at the weekend, the tremor had not caused the collapse of the No.2 shaft, but that of workings near the shaft area.

National Union of Mineworkers (NUM) spokesman George Molokai said the accident was similar to one in the same mine in July in which 18 workers were killed and at least 36 were injured.

The mine has a five-star safety rating. Although mine managers insisted that nothing could be done to predict or prevent these kinds of accidents, the NUM disagreed.

"Not enough is being invested by the mining houses in the safety and health measures to at least minimise these accidents," Molokai said.

NUM president James Molebatsi criticised mining companies, saying "mine safety will always lose out to profit motive".

Sapa reports Hartbeesfontein manpower manager Fest Nieman said late yesterday afternoon two rescue teams and about 70 workers were securing the area.

Nieman said the three missing men, two of them trapped in a stope and the third in a haulage, were within 150m of the tremor's epicentre.

Yesterday teams secured the area and pumped dust out of the shafts.

Hoisting operations were restricted in the No.2 subshafts.

Mineral and energy department mine safety director Harold Motaung said inquiries into both the disasters at the mine would be held.

Regarding July's disaster, Motaung said the department wrote a letter to Transvaal attorney-general Jan D'Oliviera to request that a joint inquiry be held.

He said the department was now awaiting D'Oliviera's reply.

Motaung said he would meet the Council for Scientific and Industrial Research's Mtekt team, appointed to probe the July accident, today for an update.
**Last miner’s body found after rockfall at North West mine**

The body of the last miner, trapped after a rockfall on Saturday at the Hartebeestfontein gold mine near Stilfontein in North West Province, was found yesterday afternoon.

Six people died and at least 41 were injured when a tremor, measuring 3.3 on the Richter scale, rocked shaft 2 shortly after 10pm.

Twenty-three miners were still being treated at the nearby Duff Scott Memorial Hospital yesterday.

The mine’s manpower manager Pieter Nieman said workers were struggling to free the body, which was still trapped almost 2km underground and was discovered in a haulage area about 100m from the main shaft.

"It’s still extremely dangerous down there. At the moment, no production is taking place at the shaft. Our priority is to get the body out," Nieman said.

He said the retrieval was expected to take up to 10 hours.

Earlier in the day, mine spokesman Julian Gwillim said the names of the dead miners would be released as soon as their families were informed.

Sapa
President Miners survive rockfall with no serious injuries

By Ger Crago

1500m

Rescue workers
descend 2 tunnels
Rockfall ensued

LEVEL 10

LEVEL 14

Free State

No 1 Shaft

TRAPPED MINERS

Rescue workers reached trapped miners via the 2 tunnels. 7 trapped miners were recovered with no serious injuries.
Mining sector agrees on fines

Linda Ensor

CAPE TOWN — Employers and labour in the mining industry have concluded an agreement to replace a contentious clause of the Mine Health and Safety Act as introduced last year, with a system of administrative fines.

In terms of the Mine Health and Safety Amendment Bill introduced in Parliament last week, people who negligently caused serious injury or serious illness to a person at a mine would be guilty of an offence.

This clause would replace the section 86 (2) of the original act which the memorandum to the bill said had "caused great concern and unhappiness amongst the mining fraternity and seriously threatened the co-operation to promote health and safety between the employer and employees in the mining industry."

In terms of the original clause an owner or manager could be convicted of an offence if the state proved the health or safety of a person at the mine was endangered or that danger and injury was caused by the working environment at the mine.

The amendment bill also proposed the deletion of subsection (3) of the act which referred to the situation where a manager or owner could not be convicted if it was proved that he did what was "reasonably practicable" to provide and maintain a safe working environment at the mine.

Because of the widespread unhappiness, implementation of section 86 (2) and (3) was postponed for a period of 12 months so that employers and employees could negotiate an agreement.

The memorandum noted that the proposed system of administrative fines was similar to that in operation in British Columbia and the US and was aimed at the promotion and protection of the health and safety of all employees. The memorandum said if this system was implemented section 86 (2) and (3) would be made redundant.
Health hazard ... Dikeledi Mahlo, principal of Maroere Primary School in Meadowlands, Soweto, says the school is forced to close for days on end because of the heavy and noxious dust clouds from the nearby mine dumps.

Department poised to act against mine over dust clouds

BY MELANIE-ANN FERRIS
Environment Reporter

Schools are being forced to close and thousands of residents from Meadowlands in Soweto are suffering from respiratory and eye ailments because of thick dust clouds produced by the Durban Road and Deep Mine dumps.

The Department of Mineral and Energy Affairs has now taken a hardline stance to force the mine to do something and has scheduled a meeting with the mine for tomorrow.

"Prosecuting them is a last resort. We don't see why we should enter into such a long process, which could take up to two years, when they can do something now," a department spokesman said yesterday.

Dust clouds over Meadowlands are sometimes so severe that schools at the foot of the dumps are forced to close for up to a week. Residents in close proximity to the dumps are also prone to upper respiratory illnesses and eye ailments.

Anne Ernmann from the Group for Environmental Monitoring is worried that apart from the dust, there are other hazards including acidic water running off the dumps that dissolves clothes and causes severe skin irritation.

"We are concerned with radioactivity from the dumps. This is a hazard which affects people only after a few years."

Another problem is the stability of the dumps. Although there have been no incidents, we need to make sure that there is no possibility of this happening in the future," she said.

Environmental groups said the mining company had been consulted, but had done nothing despite several solutions being suggested, including spraying the dumps with chemicals, ridge ploughing and the erection of dust barriers.

There was no comment from the mine yesterday.
456 killed in SA mines

Johannesburg - A total of 456 miners were killed while on duty between October 1 last year and September 30 this year, Minerals and Energy Affairs Minister Penuel Maduna said.

In a written reply yesterday to questions from Freedom Front MP Willem Botha, Mr Maduna also said a further 7,651 miners were injured.

Mr Maduna said he could not say how many of the deaths could be attributed to ethnic violence because his department did not keep those statistics.

Gwede Mantashe, assistant secretary-general of the National Union of Mineworkers, said although 456 deaths was still a high figure, he was confident that the union could win the battle against fatalities in the mines.

"If you look just five years ago, the annual death toll would have been something like 700," he said.

Mr Mantashe added that workers were recognising their right not to undertake dangerous work, and their right to receive training and have access to information.
456 miners die in SA in a year

By Rafiq Rohan
Political Correspondent

The Ministry of Minerals and Energy Affairs has revealed that hundreds of mineworkers have lost their lives on duty over the last year. Minister Penuel Maduna announced in Parliament yesterday that 456 miners perished while on duty between October 1996 and the end of September.

Statistics for injuries on duty are equally shocking. The Minister said that 7,451 miners were injured while on duty over the same period.

Asked about clashes

Asked by Mr. Wallem Botha of the Freedom Front whether tribal clashes resulted in any casualties at the mines, Maduna replied: "The Department of Minerals and Energy does not keep records of injuries and fatalities resulting from ethnic violence". The information was obtained from the SA Police Service.

Lewet, 11/11/97
Death still stalks former asbestos-mining town

39 residents of the Northern Province town of Mafefe have succumbed to debilitating disease in six months.

**Doctor says health authorities ignored his warnings many years ago**

OwN CORRESPONDENT

Mafefe, Northern Province

"You walk quietly in the village of Mafefe because there are graves on every corner of this town." These are the words of William Makaphala (61), an asbestos sufferer.

His father died of the disease, he buried his cousin last month, and the rasping breath of his elderly mother carries through their home as she struggles to breathe through her fibre-stuffed lungs. Makaphala, who was born and bred in Mafefe, also does not have long to go.

In this town of 12,000, half the adult population is affected with asbestos-related disease. Nine asbestos mills operated in the district, spewing fibres into the air and building up large dumps of asbestos waste which were left open to the elements when the mines closed. A third of the homes here are made of asbestos tailings.

Cape Town – In 1941 Dr Andre Pickard diagnosed two cases of asbestosis while working in a hospital near Prieska, in the heart of the former Northern Cape asbestos mining belt.

His first instinct was to warn the mining industry of the lethal disease's link to asbestos exposure and the dangers posed to miners and people living in the area. In response, mine management of the British-owned Cape Asbestos threatened him with imprisonment if he spoke out.

"When he turned to the Department of Health to warn it of the hazard, he was told to wait until World War 2 was over. Some years later a woman, aged 27, died of abdominal mesothelioma, an extremely painful cancer directly linked to asbestos exposure.

"Again he tried to report the hazard to the health authorities and this time they wrote it off as tuberculosis, which was a typical misdiagnosis of asbestosis.

Today Pickard is 83 years old, and after 50 years of living and practising medicine in the Prieska region, he estimates that 3,000 people have died as a result of asbestos exposure in the area over the years. His son, a medical specialist in microsurgery and father of five, died aged 56 of mesothelioma.

"I know of whole families who have died here – the man who managed Cape Blue Mines died and so did his wife and four children," Pickard's wife Henrieta said.

Beginning in 1893, when a mine was established just north of Prieska, mill operations escalated for the next 50 years, creating a constant plume of fibre which collected on floors, window-sills and roofs of the town.

The problem has been lessened by 60 to 70% after rehabilitation of some of the dumps and by tarring over a road constructed from fire-resistant asbestos. Pickard said there are still 15 open dumps in Kogeis, on the Orange River some 80km north of Prieska.

Mines that filled the air and river with fibres were rehabilitated this year. Only in the 1980s did people realise that the air they breathed was loaded with microscopic asbestos fibres.

Everyone in Mafefe has lost someone to asbestos, and because it takes 20 to 40 years to develop, not even the healthy can assume they are free of it.

"If this place is cleaned up, no one can cry again," he was paid R16,000 as compensation.
456 miners died in year

A total of 456 miners were killed while on duty between October 1 last year and September 30 this year, Mineral and Energy Affairs Minister Penuell Maduna said yesterday.

In a written reply to questions from Freedom Front MP Willem Botha, he also said another 7,451 miners were injured.

Gwede Mantashe, assistant general-secretary of the National Union of Mineworkers, said although 456 deaths was a high figure, he was confident the union could win the battle against fatalities on the mines.

He said: "If you look just five years ago, the annual death toll would have been something like 700. Workers were recognising their right not to undertake dangerous work, and to receive training and have access to information. Mantashe said he had no records of fatalities caused by ethnic violence during the past year.

Dick Bakker, acting director-general of the Department of Mineral and Energy Affairs, told the parliamentary mineral and energy committee last week that transport-related accidents had accounted for about 45% of the 1,464 deaths in the mining industry between 1994 and 1995. - Staff Reporter
There's a problem here.

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Phelindaba, a village of widows, orphans

IN a dusty street of the village of Phelindaba, a wizened, elderly man banged on a piece of metal, hanging from a tree to summon the villagers to speak to him.

Dressed in rags, they slowly emerged from their red mud huts and sank, painfully, into a circle to face us, and tell us their story.

That’s when I noticed nearly everyone in Phelindaba is female. It’s a village of widows.

It is also a sanctuary of old and sick, foreign workers who came here from Zaire, Zimbabwe, Malawi and Zambia when the asbestos mines were booming.

When the mines closed in this part of the former Lebowa, now the Northern Province, the people were trucked to Messina, where they were unloaded to make their way home. Those who were still healthy probably made it, but the elderly and the sick chose to melt into the mountains of Lebowa. 

Here, the people say, they were constantly hounded by police and survived by eating plants.

“The men used to blast the rock and we crushed the stones and put them in bags,” said Mrs Maria Thobejane, one of the many widows who were young when they met their husbands on the mines.

As the men — somewhat older than the women — died of asbestos, the women were left to fend for themselves. Many of them are also infected. Thobejane herself struggles to breathe with the disease.

The village is also home to orphans. Some of the old women had lost their children to asbestosis.

“There was always so much (asbestos) dust in our face, it got in our ears, our noses and our eyes — when we spat it was always black,” Thobejane said, sitting in a skirt made from an old towel, her dusty toes peeking from her torn tights.

“We see children the same age as our dead children would be and think how productive they would be now. But there is nothing we can do,” she sighed. “Nobody helps us, we struggle on our own.”

Many of the people of Phelindaba have not received compensation for their illness and today they get work harvesting maize fields for R10 a day. When the harvest is over they pick marogo, a wild spinach, which they exchange with other people for a meal.

But perhaps the sadness of Phelindaba is best explained by the story of Betty, who was a tall, strapping Botswana woman of bright complexion who loved to sing the songs of her home-land and joke as she toiled in the heat.

Her tale is told by nursing sister Agnes Qwabe, who is also a widow.

“Betty’s story is a pathetic one,” she says. Betty was one of the hundreds of people who were lured to the mines.

“She joined the ranks of teenage girls who worked at the mouth of the mines for about 84 a month chipping the rock off seams of asbestos (cobbling) — not knowing that the dust which filled the clammy air and blocked her eyes, nose and ears would slowly kill her.”

In 1993 she died at the age of 50 of asbestosis, after suffering terrible pain and wasting away. A year later her daughter, who was in her early 30s, died. Today her granddaughter is struggling to breathe.

Betty was buried in an old blanket by a community that had cared for her and could afford nothing more.
Vantech accused of health threats

Josey Bellenger

THE National Union of Mineworkers (NUM) and Environmental Justice Networking Forum said yesterday they would approach Vanadium Technology (Vantech) management about what they considered to be health threats and "environmental injustices" to mine workers and communities in the area.

The Mpumalanga branch of the forum said "environmental injustices" resulting from the Steelpoort mine included damage to buildings from blasting, and air and water pollution from dust blowing off the mine's dump.

However, no formal studies have been done to quantify the allegations.

NUM officials said they, with the forum's backing, would seek a meeting with management on health issues.

NUM shop steward Juhu Makofane said eight workers were either dismissed or had voluntarily left Vantech recently due to bronchitis and asthma caused by inhaling chemicals. Respirators provided by the mine did not keep out the noxious fumes, he said.

Vantech GM Marteens van der Marwe denied the allegations, saying the company had undertaken a R9m risk management programme. He said workers did not wear the respirators.

The eight employees had an "allergy" to a substance involved in producing vanadium, were given medical remuneration and would recover in months.
Melida Sithole's song:

"I'm sitting on your grave,
I am coming to you, my husband,
The children have no food,
We are all suffering.
Maybe they can help,
Maybe they can help us,
my husband.
Do not be angry with me for coming to your grave.
Do not wake up tonight
and come to be angry with me.
Please do not wake up,
maybe they can help us,"

IN LOVING MEMORY: Melida Sithole, one of the widows of Phelindaba, at her husband's grave set in a cluster of other graves at the back of the cemetery of Mathabatha. Behind stretch the shark-fin like mountains of Lebowa — the asbestos mountains.
Rockbursts raise mines' death toll

Renée Graupitzky

MINE deaths due to rockbursts this year were likely to exceed total fatalities recorded last year as a result of three disasters, one at Deelkraal and two at Hartbeesfontein, mineral and energy affairs acting director-general Dick Bakker said at the weekend.

He also told delegates at a National Union of Mineworkers health and safety conference in Pretoria that the introduction of full calendar operations in the coal mining industry could increase miners' exposure to dust.

The dust-protective machinery could not cope with the high levels of dust generated by continuous blasting.

Bakker said the latest statistics on mine accidents showed that half the fatalities were due to rockbursts. During 1996, 52 miners died in rockbursts while 54 miners have died during the first eight months of this year.

The rockbursts at Hartbeesfontein and Deelkraal had resulted in 34 deaths and 97 injuries. The accident at Deelkraal is currently the subject of a commission of inquiry being chaired by Judge Ramon Leon.

Bakker said older mines that were mining remnant areas became stressed, increasing the risk of rockbursts. In the wake of the Hartbeesfontein accidents, a three-party group of experts was established to determine whether the mine could work in certain areas at an acceptable risk.
Death mines shut, but toll still rising

LISA TEMPLETON

"WE cannot cure you, you can go home to die, or you can stay here and die."

So a patient with advanced mesothelioma was told.

He did not see his home again

He died in Kimberley Hospital's cancer unit the night before the Cape Times visited the unit.

His suffocating death was the price he paid for his years of working and living in the asbestos mining towns of the Northern Cape.

Dr Elize Founé, of the oncology unit, has not cured anyone in the 14 years she has worked in the unit.

When she joined it, she saw up to 20 cases of mesothelioma a week, most of them from the asbestos mining towns of Kuruman, Prieska, Koegas and Whitebank. The mines have long since closed, but the exposed dumps of asbestos waste remain.

She is still seeing new patients with mesothelioma and thinks there are many more in the Northern Cape who do not reach the unit because they cannot afford the trip to Kimberley. An ambulance trip from Kuruman costs the patient R48.

Founé estimates that 60% of her patients have not been miners but have been exposed to asbestos fibres as they live and work in areas where there is asbestos pollution.

"I have had patients who simply went into the mining towns to play tennis," she said.

Mesothelioma is a cancer directly linked to asbestos exposure and takes 20 to 40 years to develop. Fibres needle their way into the soft lining of the lung, where they become irritants, causing a fluid reaction and a tumour to develop.

Ultimately the tumour can grow into the ribs, heart and abdomen or bulge painfully from a patient's side.

A nursing sister at the hospital, who had watched a post mortem on a mesothelioma patient, said: "The lung was hard as rock, white like cement and had solidified on to the ribs.

Founé said some patients she had seen were in such pain they were unable to speak.

"If you catch the cancer early you can treat it by removing the tumour and treating the patient with chemotherapy, but it keeps growing," Founé said.

Patients are treated for pain and sedated where necessary, but Founé is not happy with the way patients are nursed at the hospital.

"These patients need special care and they don't get it here - they are neglected and their comfort is not seen to. Sometimes it is better for them to return to their home town, where they can be cared for by hospitals there or their families."
Cleaning up the dumps of death

ON THE facing page we conclude our special investigation into the scourge of asbestos pollution and related disease in South Africa.
LISA TEMPLETON reports on what is being done to sort out a continuing problem.

WHEN South Africa's powerful asbestos mining companies shut down, most of them left open waste dumps of the deadly fibre to be spread by wind and water.

Now, some two decades later, the University of Pretoria's Research Institute of Reclamation Ecology (Rire) is charged with rehabilitating many of the dumps to stop the asbestos pollution.

To date, Rire has tackled 16 dump sites in Mpumalanga, 92 in the Northern Province and 82 in the Northern Cape. And there are still many more open to the winds, rains and rivers.

We visited some of the dumps they were rehabilitating in the Northern Province where the asbestos fibre was so deep our boots sank into it and the dumps were the size of sports fields. These fibre dumps are open to the wind. Research done by Rire based on the average prevailing wind speeds of the mine, the effect the climate has on spreading the fibre and human habitation affected by the dump has shown that people in the north western Cape can be exposed to unsafe levels of airborne asbestos particles 106 km downwind of the dumps.

And, in the Northern Province, strong winds could carry fibre particles to towns as far as 396 km from the dump.

Rivers also spread fibres.

"I can't think of any dump that is not in the lowest portion of a water course," said Professor Johann Booysen, director of Rire.

"The miners did not want this waste and they knew that this way it would wash away.

"In the Northern Province, when it rains, a lot of asbestos is washed into the rivers which are used for washing and cooling.

"Also, the asbestos particles can become airborne and pose an additional health risk.

Once a dump is rehabilitated, Rire estimates that the asbestos pollution to townsdownwind and downstream is reduced by 90%.

Faced with an overwhelming number of open asbestos dumps, Rire established a system to promote dumps based on the percentage of loose or potentially loose asbestos fibre (a mere 2.1% is enough to justify rehabilitation), the history and the size of the mines.

To rehabilitate an asbestos waste dump costs nearly R1 million.

The mining corporations such as Gencor or the British-owned Cape Industries don't pay a cent of these costs.

To rehabilitate a dump, its slope is graded to less than 18 degrees to prevent erosion and any asbestos in the path of a river is removed. Then a 30cm layer of top soil is added and indigenous vegetation is planted.

In the Northern Province, euphorbia is the wonder plant — a hardy plant that can survive for six months before the first rain fall, it is also resilient to grazing cattle which would otherwise plough up the top soil with their hooves and expose the asbestos fibres below.

And how much does this cost?

In March, the Department of Mineral and Energy Affairs awarded Rire R4.6 million to complete its work and the Department of the Environment Affairs and Tourism contributed R280 000. A large dump costs about R1 million to rehabilitate.

But extensive dumps such as those in Koe a, in the Northern Cape, which are made up of 16 large dumps, three of them within three metres of the Orange River, will cost an estimated R6.2 million to rehabilitate in full.

Who foots these bills?

Because the majority of mines were owned by transnational corporations such as the British-owned Cape Industries, the Swiss Belgo Mining group and Gencor who sold out in the early 1980s when their market dried up, the government footed the entire bill in their absence.

If the dump is now owned by a deed holder, who never mined the dump, then the deed holder pays 5% of the costs and the government picks up 95%.

Thomas Baloyi worked for Rire as a terrain manager. His career in mining started in 1949 when he went to work as a driver on Bewaarkloof Mine in the Northern Province at Lebowa.

He jokes that he started work in the heyday of the mines and today he is shutting them down. It is a fitting task as Baloyi paid a high price for his labour. Today, he suffers from asbestosis, a disease of the lungs caused by inhaling asbestos particles and which ultimately leads to a suffocating death.

He remembers when Bewaarkloof was home to thousands of miners and the mountains rang with their noise. As we bounced through the bush in his bakke he pointed out where the homes of the miners once stood and where shops did a roaring trade.

"We did not know then that the asbestos was poisonous. It was only in the 1970s that the whites started suffering. We are the ones they can no longer sell the asbestos," he says. "They could not get the money per tonnage to pay the people or run the compressors.

LISA TEMPLETON is a freelance writer who did the asbestos investigation for the Cape Times.

CLEANING UP: A worker wears a protective mask while a bulldozer softens the gradient of an asbestos waste dump as part of the procedure for containing the pollution.

Bewaarkloof Mine in the Northern Province, then Lebowa.

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LISA TEMPLETON is a freelance writer who did the asbestos investigation for the Cape Times.
Death rate down in mines

By Abdul Milazi

THE Mine Health and Safety Act, passed in January this year, has seen a dramatic drop in deaths and injuries in local mines.

This was revealed by the South African Chamber of Mines, which said the current structures put in place by the new legislation had improved communication channels between management, workers and worker participation in decision-making.

Chamber spokesman Mr Llewelyn Kriel said work-related deaths on the mines had dropped from 665 people in 1987 to 314 this year, while injuries decreased from more than 10,000 to 6,101 in the same period.

Kriel said workers were also now entitled to refuse to do dangerous work, which gives them more control of their safety, while the mines also run continuous safety education programmes in all official languages.

"We must be doing something right, the statistics alone speak volumes. We hope the trend will not only continue but that it will accelerate," said Kriel.
New forum to tackle mine dump pollution

Josey Ballenger ☎️ (212)

The Gauteng environment department would set up a provincial forum to resolve pollution problems originating from mine dumps following several complaints from communities, Gauteng environment MEC Nomsa Mokonyane said yesterday.

"People in areas like Kagiso, near Krugersdorp, are living under the scourge of horrible dusty conditions caused by the mine dumps, and, as government, we promised our people a better life where they stay," Mokonyane said.

"Our view is that the polluters must take the financial responsibility for their waste, and the mining houses must act responsibly and take concrete steps towards resolving problems caused by their mine dumps," she said.

Mokonyane said the forum would consist of representatives of the department, the affected communities, the Chamber of Mines, the mineral and energy department and other interested organisations.

The announcement came after recent reports of air and water pollution emanating from the Durban Roodepoort Deep dump in Meadowlands, Soweto.

"Durban Deep partially resolved the matter by agreeing recently to spend R115,000 to vegetate the mine dump's top surface, cutting dust levels by 80%.

The dust has triggered complaints of impaired vision, coughing, hoarseness, chest problems and difficulty in breathing in the Meadowlands community.

Meadowlands Environmental Group spokesman Mokomane Mekgoe said the organisation supported the mine's reduction of dust levels, but pointed out that the slopes would continue to generate the dust.

He also said the mine needed to address the water seepage from the dump into Klip River tributaries, which the water affairs department described earlier this month as "unacceptable."
MINING - ACCIDENTS

1998
Mine deaths probe resumes

By Abdul Milazi

THE inquiry into the May 7 1997 Deeklraal gold mine accident in Botshabelo in which 10 people died and 23 were injured resumes on Tuesday, the Mineral and Energy Ministry said yesterday.

The accident was attributed to a rock burst which caused severe damage, affecting seven panels 2,660m underground. About 33 people were buried alive and 23 were rescued.

This was the second underground earth tremor to hit Deeklraal in as many months. Two workers were killed last March in a similar accident.

According to statistics, over 600 miners die in mine accidents every year with major disasters occurring every five years.

A recent report by the Ministry of Labour reveals that an average of two workers die every day in South African mines and only major disasters are reported by the media.

The National Union of Mineworkers (NUM) blames mine management for ignoring warnings by workers of possible accidents.

NUM spokesman Ben Molapo said, "Workers know the underground conditions better than management and they can see signs of pending disasters."

"When they tell management, they are often accused of trying to make excuses not to work."

However, the passing of the Mine Health and Safety Act last year saw a dramatic decline in mine accidents.

According to statistics from the Chamber of Mines, deaths dropped from 665 people in 1987 to 314 in 1997 while injuries fell from over 10,000 a year to 6,101 a year.

This is attributed to better communication channels between workers and management due to structures set up under the Act. Workers can now refuse to do dangerous work.

The Act was passed as a result of the findings of the Leon Commission set up in 1995 to investigate safety on the mines.

While South Africa does not hold the highest death toll record, it overshadows other mining countries in the number of major underground disasters.

China holds the record for the highest death toll with 1,549 workers killed in one accident in 1942, but South Africa has experienced more than 13 major disasters since 1909.

The highest number of casualties was recorded in 1960 at the Coalbrook Mine, south of Johannesburg, when 435 workers were killed in one accident.

The Kurox Gold Mine accident in 1986 claimed 177 lives.

The recent highest death toll was at Western Deep Level Gold Mine in 1993 and at Vaal Reefs Gold Mine in May 1995 in which 109 and 104 workers were killed, respectively.
Probe into mine accident hears technical evidence

BY SHIRLEY WOODGATE

The investigation into the rockburst which killed 10 workers at the Deelkraal gold mine near Carletonville last May resumed this week.

The panel has convened at the Arbitration Foundation of SA in Sandton under the chairmanship of Judge Ramon Leon, assisted by two assessors.

Launched in October, the hearing followed the death of 10 men and injuries to 23 others after the No 1 shaft 2 666m below the surface was rocked by two tremors registering 2.2 and 2.3 on the Richter scale.

Yesterday lawyer Willem de Roux, representing among others the mine and mine manager and top officials at the time of the accident, cross-examined rock engineer Anwe Swart on technical aspects of a "numerical model" designed to throw light on the effect of the seismic events.

The National Union of Mineworkers has claimed the accident resulted from the faulty design of the mine.

Prosecutor Sas Erasmus said the present session was likely to continue for at least three weeks until all evidence had been heard.

More than 30 witnesses are expected to testify, including colleagues of the victim, injured workers, mine supervisors and about 10 management representatives.

Judge Ramon's judgment is expected in August.
Mine told to study people's dust problems

Josey Ballenger

COUNCILLORS and community members called on the Durban Roodepoort Deep mining company last week to assess the health problems created by mine dust in areas around Soweto.

Councillor Norman Barlow of the Greater Johannesburg western substructure, which covers large parts of Soweto and the coloured township Fleurhof, said the company should at least pay for a health study of children attending nearby schools.

School principals in the area said children suffered from chest and eye problems, asthma, itchy skin and other ailments which made "work difficult for adults and created a concentration problem for kids."

However, Moreoro Primary School principal Dikeleli Mahlo, situated on the Meadowlands dump's edge, said the dust problem had improved since the company entered into a two-year R114 000 contract with EnviroGreen late last year to "grass" the top surface of the dump to reduce dust levels by at least 60%.

The comments were made at a meeting on Thursday intended to brief members of the parliamentary minerals and energy portfolio committee. The committee was on a "fact-finding mission" in Gauteng and the Northern Province.

The failure of Durban Roodepoort Deep to send officials to the mission drew criticism from the councillors, community and environmental representatives present, but the company's management and the Gauteng environmental affairs department said the company had been formally invited at "short notice" the previous day.

The community also called for the dump's slopes to be grassed, which company MD Mike Prinsloo said would be considered at a later date. "We will do what we can do in a reasonable timeframe," Prinsloo said yesterday.

"We would need to (chemically) treat the slopes first, and there is a huge cost involved. The problem lies on the top surface, little dust comes off the slopes. So we are treating that first, and then we will evaluate the programme," Prinsloo said.

Prinsloo said the company had allocated R385 000 to the Meadowlands environmental programme.

Several community members complained at the meeting that they had not seen the company's draft environmental management programme report. The report was distributed to interested and affected parties by the minerals and energy affairs department.

"The report was open to public comment until last Monday, but the meeting was told the department might grant an extension," Prinsloo said.

All comments would be carefully considered. Some critical comments reported last week expressed concerns already being addressed by mine management. He encouraged the councillors and community members to submit their suggestions regarding the health survey to the department.

Duma Nkosini, chairman of the parliamentary committee, said the committee had an "open, flexible mind", but that mines in general were "not involved enough in dealing with environmental problems."

The committee did not meet company management.

Following its visits to Durban Roodepoort Deep and Grootvlei, the committee would visit gold mines in the Western Cape. It expected to report its findings from the visits this week.
GOOD NEWS

Disaster Fund will cover children's
Future Safe for Real Needs Widows

Don't miss out on this week's edition of our newsletter, "When Sunny. The Dispersion of the Vail Needs Disent," which highlights various initiatives and programs aimed at supporting those in need. This week's feature is focused on the dispersion of the Vail Needs Disent, with a special emphasis on education and work training for women.

In the article, "Innovative Solutions for Education and Work Training," we explore various approaches to improve educational opportunities and vocational training for women. The article features several initiatives, including programs designed to support women in obtaining vocational training and bettering their chances of employment.

One of the highlights is the "Vocational Training Initiative," which aims to provide women with the skills and knowledge necessary to succeed in their chosen fields. The initiative includes partnerships with local businesses and community organizations to offer practical training and mentorship.

We also feature an article on "The Importance of Community Support," which discusses the role of community involvement in supporting women and their families. The article highlights successful examples of community-led initiatives and the impact they have had on improving women's lives.

Additionally, the newsletter includes a special section on "The Displacement of the Vail Needs Disent," which provides an update on the ongoing efforts to support those affected by natural disasters. The section includes stories of resilience and recovery, as well as updates on the latest initiatives aimed at providing assistance.

With contributions from experts in education, work training, and community support, this week's edition of "When Sunny" offers a comprehensive look at the issues facing women and the strategies being developed to address them. We encourage you to read the full newsletter to gain a deeper understanding of these important issues.

Stay tuned for next week's edition, where we will continue to explore the dispersion of the Vail Needs Disent and the many initiatives working to support those in need.

When Sunny
Government can learn from lessons of mine safety

New health and safety legislation will plug holes left by an ineffective justice system, writes Paul Benjamin

Prosecutions are generally only instituted once there has been an accident. The new system is consistent with a proactive approach to ensuring health and safety in the workplace. Fines can be imposed if a dangerous condition is observed.

The inspectorate retains the right to recommend prosecutions but its policy will be to limit this to accidents involving serious injury or death.

The system has significant lessons for the development of governance in SA. The government is at present endeavouring to simultaneously modernise and scale down the public service inherited from the apartheid era. The numerous agencies at all levels of government that must ensure the constitutional right to a healthy environment are disempower due to lack of enforcement.

Calculate employment statistics, analyse the trends of changes in employment and the number of people out of work. While some are employed for merely three months, their average income is not more than the cost of living. These people are seldom covered, the primary emphasis is on the short-term benefits, the economy is not thought.
Two mine technicians killed in explosion

HENDRINA — Police are investigating an explosion at Optimum Colliery near Hendrina in Mpumalanga in which two mine technicians were killed on Good Friday.

Jimmie Mthomboth and Peter Senyane died instantly when the load of industrial dynamite they were transporting exploded on their 4X4 bakkie.

The explosion ripped apart their vehicle, blasted a 3m-deep crater in the road and seriously damaged nearby mine buildings. Police spokesman Senior Supt Theo du Bruyn confirmed the investigation.

"Our investigating officers seem to be having difficulty making regular telephone contact with the mine, but we can confirm that the explosion occurred at 4.10pm on Friday. Both occupants of the vehicle were killed instantly," Du Bruyn said.

Unconfirmed reports indicated the explosion occurred while the two were transporting the dynamite from a blast site to a storeroom — Sapa.
Dependants to receive an extra R2.5m

Renée Grawitzky

The dependents of 94 of the 104 miners who died during the Vaal Reefs mine disaster in May 1995 are to receive additional compensation amounting to R2.5m, but future payments by Rand Mutual could be in the region of R15m.

A deal struck yesterday between the National Union of Mineworkers (NUM), AngloGold and Rand Mutual Assurance will ensure that the pensions paid by Rand Mutual Assurance to the dependents are increased 12.5%.

Where there are a number of widows in respect of the same deceased, each widow will receive a full pension as opposed to the earlier arrangement whereby the pension was split between widows.

The union claimed that total compensation — both paid and still to be paid to the dependents — could amount to R150m, subject to the life expectancy of the dependents.

The Vaal Reefs inquest headed by Judge Ranson Leon found that the mine should be prosecuted for culpable homicide. As a result, the majority of dependants, based on the alleged negligence of the mine, submitted claims for additional compensation.

The Compensation for Occupational Injuries and Diseases Act provides for additional compensation claims in the event that the company is found to be negligent. It is understood that negotiations are still under way relating to compensation for the 10 contractors who also died in the accident.
Johannesburg — The National Union of Mineworkers (NUM) and Rand Mutual yesterday agreed on a sum of between R15 million and R22 million as an out-of-court settlement for the families of the victims of the 1995 Vaal Reefs mine accident.

On May 19 1995 a locomotive plunged down shaft No 2 at Vaal Reefs. The accident claimed the lives of 104 miners.

The compensation will be backdated to the time of the accident. George Molebatsi, an NUM spokesman, said the new compensation allowed for the payment of more than one widow.

"Where there is more than one widow in a family, each widow will be paid a pension. Currently only one widow is recognised for compensation purposes."

"Where there are more than three children in a family, each child will be paid a pension. Currently only three children are recognised per family for compensation purposes," said Molebatsi.

Compensation payments payable to dependents will increase by 12.5 percent of the deceased workers' remuneration at the time of the accident.

The increase will be backdated to the date of the accident and will be subject to periodic reviews. Molebatsi said the pensions would be payable to widows for the rest of their lives and to their children until the age of 18.

"From the accident to date, approximately R16 million has been paid to dependents by Rand Mutual in lumpsum and pension form. The terms of this agreement will result in an initial additional payment to dependents by Rand Mutual of approximately R2.5 million."

"It will further result in future additional payments to dependents by Rand Mutual conservatively estimated between R15 million and R30 million," he said.

Molebatsi said the actual amount paid would be affected by a number of variables, including the rate of inflation and consequent increases determined by the labour department, Rand Mutual and the life expectancy of the widows.
The millions set aside are intended to pay for educating children of men killed at Yssel Reits.
Five miners die at colliery

Rescue workers late yesterday afternoon found the bodies of five miners who died when the roof of a work area apparently collapsed at Goedehoop colliery in Witbank earlier in the day.

Anglo American Coal Corporation spokeswoman Wanda Olivier said the bodies of the miners were being brought to the surface at 6.30pm.

They were found 55m underground, about 1.8km into the mine. The accident, which happened at noon, appeared to have been caused when the roof of the area in which the miners were working collapsed. – Sapa

Star 6/6/98

'See illegals as part of costs' – The Government should.
Govt reviews its investigation of mining accidents

Dustin Chick

THE minerals and energy department was reviewing its accident investigation procedures to learn lessons for the future rather than simply apportion blame, deputy director of mines Carl Marx said at the weekend.

Marx said it was important to distinguish between the causes and issues of culpability in accidents.

Investigations needed to be decriminalised in the interest of learning more about safety needs from each accident.

It was necessary to make more effective use of the attorney-general’s power to indemnify witnesses from intimidating themselves so that they would provide more detailed information on what had happened.

“At the moment, we have a blame fixing culture,” Marx said. He said accidents always had multiple causes and investigators needed to look at procedures, conditions and unsafe acts in their investigations.

However, he said the new procedures would not put an end to personal liability. “If there is death involved and someone is responsible, then the law must take its course,” Marx said.

The department said at the weekend that it was sending 10 inspectors of mines on a four-week exchange programme to the US at the invitation of the US government.

The inspectors would attend courses at the National Mine Health and Safety Administration in Virginia.

The technology acquired from those programmes, as well as the technology from Australia and Britain, would be adapted to suit the SA mining industry and produce a world best,” Marx said.

The exchange programme was arranged during an official visit to SA by David Mateer, the US assistant secretary for mines, earlier in the year.
SA cattle will bolster Swazis' EU meat quota

James Hall

MBABANE — Swaziland aims to spend R24m this year on SA cattle to enable more Swazigrown meat to be allocated to its European Union (EU) export quota.

Swaziland Meat Industries MD John Williams said 12 000 head of SA cattle were required, at an average cost of R2 000 each.

"Swaziland's EU quota is a great opportunity for us as it represents a guaranteed sale," he said.

"Unfortunately, domestic output is insufficient to meet the quota."

Another 12 000 head of cattle will be imported for fattening and export to the EU if Swaziland succeeds in its petition to the EU for exemption to the rule requiring all Swazi export meat to be locally born.

Williams cited reluctance of peasant farmers on Swazi national land to part with their cows until they were past their market prime.

All locally grown beef purchased by Swaziland Meat Industries was exported.

"This is prime hindquarter cut, highest standard, with a four-month shelf life," Williams said.

To meet domestic needs, Swaziland Meat Industries imports cattle from SA and markets them under the Simunye Beef label.

Louise Cook reports that the European Commission confirmed that Swaziland had only half of its allocated quota available for export.

A spokesman for the commission's Pretoria office said there was no clearance for export of the meat to the EU unless the animal was born in Swaziland.

The spokesman also said the commission had given financial backing for a study to find ways in which Swaziland could boost its supplies to meet the annual quota.

20 12/7/98
Talks to be held on use of asbestos

David Greybe

CAPE TOWN - A national summit to tackle problems arising out of the mining and use of asbestos in SA is planned for the end of November.

Organised by Parliament's environment affairs and tourism committee, the summit will involve stakeholders in the private and public sector, including mining houses and communities that are affected.

It could result in legislative steps to remedy asbestos-related problems, said Luu McDaid, a member of the national asbestos summit working group, yesterday.

The summit would look at the areas where asbestos could present serious health threats and identify the main ways in which asbestos was still being used in SA, said McDaid, who is also a parliamentary researcher for the portfolio committee.

The intention was to "help government and other role-players involved to make effective decisions at and after the summit", she said.

Jerry Ndou, chairman of the asbestos sub-committee in Parliament, said problems arose out of the past mining and use of asbestos.

Ndou, an African National Congress MP, said the purpose of the summit was threefold.
- To provide an opportunity for information about asbestos and its effects on the people of SA to be shared by all interested and affected parties, including former mining communities, trade unions, scientists, government officials and industrialists.
- To set out and prioritise the main areas of concern and explore possible strategies for addressing them, and
- To encourage government and other key role-players to commit themselves to specific action-oriented strategies following the summit.
Sajol could have prevented explosion that killed 53 — inquest
Anglogold pledges R5m to jobless fund

Reneé Grawitzky

THOUSANDS of retrenched mine workers and their home communities look set to benefit from a retrenchment fund established jointly by the National Union of Mineworkers (NUM) and Anglogold yesterday.

The fund is intended to finance job creation initiatives and will be financed with R5.8m pledged by Anglogold. It comes in the wake of the loss of 36 000 jobs as a result of Anglogold’s restructuring over the past 18 months.

The fund will pay for skills training for retrenched workers and projects initiated by the union’s development arm, the Mineworkers Development Agency. The agency, established after the 1987 strike, has been instrumental in facilitating rural self-employment schemes for retrenched mineworkers and mining communities by setting up four development centres.

Anglogold has committed itself to financing a development centre in Kolobad in the Eastern Cape and is considering funding a similar project in Mozambique.

Anglogold CEO Bobby Godsell said the industry had to downsize in order to survive in recent years.

NUM president James Motlatsi expressed the hope that other companies would follow Anglogold’s example and fund similar initiatives.

Development agency CEO Kate Philip said the idea formed part of an R80m proposal tabled during the ongoing gold crisis committee meetings and was intended to spearhead job creation and rural economic development.

She said the setting up of a network of 15 regional development centres in rural areas was central to the proposal.
Bill aims to transfer radiation regulation in mines

Jonny Steinberg

PLANNED legislation will transfer the regulation of underground radiation levels from the Council for Nuclear Safety to the minerals and energy department.

But a spokesman for the council, Phil Nkhwashu, said yesterday he was appalled when he read the draft.

"The expertise necessary to monitor underground radiation simply does not exist in the department," Nkhwashu said. "We have been performing this function since 1990. If the department is to take it over, there needs to be a formal transfer of skills and training. It all needs to happen in the open, under the scrutiny of international peer review."

National Union of Mineworkers general secretary Gwede Mantashe also said it was unacceptable that the department take over radiation control. "It must be an independent function," he said. "We will say as much when the bill is opened to public debate."

In response, mine health chief director Dick Bakker said the department was currently qualified to take over the monitoring function. "We have 11 radiation control officers with high qualifications and a wealth of ventilation experience," Bakker said. "The Mine Health and Safety Act makes underground safety our responsibility. We are not going to abrogate a task which the law places on our shoulders."

The union was also concerned that a conflict of interest may exist in the position of deputy director-general in the department, Gorden Sibuya, a non-executive director of Randfontein Estates mine.
Furore over radiation safety in mines

JONATHAN ROSENTHAL
INDUSTRIAL EDITOR

Johannesburg — A bitter row between the Council for Nuclear Safety (CNS) and the department of minerals and energy over radiation safety in mines had to do with money rather than safety, senior government and industry sources said this week.

The row was made public at the weekend with attacks on Gordon Sibuya, one of the country's top nuclear scientists and the deputy director-general of the department of minerals and energy.

Sibuya was accused of attempting to water down radiation safety regulations in mines by introducing legislation passing responsibility for monitoring radiation from the CNS to the department's own inspectorate.

This week the National Party called for Sibuya's dismissal, arguing there was a clear conflict of interest between his position under one law for the first time.

Sibuya and mining industry executives said this week the CNS's attempts to keep a grip on radiation monitoring in mines was motivated by the licence fees it earned from this function.

Industry sources said the CNS, which licenses mines in the same way it licenses nuclear power plants, charges mines around R11 million a year. Costs of compliance for the industry run to about R15 million a year, or almost R2 million a mine, according to a recent survey by the Chamber of Mines.

"A concern expressed at mines is that they don't have sight of the details of what the charges refer to, what they are paying for and if they are getting value for money," John Stewart, a mining consultant to the Chamber of Mines, said this week.

The CNS failed to respond to calls for comment on Wednesday and Thursday.
Experts to assist in mine radiation levels
Mines best equipped to monitor own radiation hazards.

RATIONAL debate on the control of radiation hazards in mines is clouded by deep-seated misunderstandings that drive public doubts about anything to do with the subject. Dennis Wymer examines the issue.

To exclude the control of radiation exposure from such a system would not only be a mistake, but would constitute an unwarranted fragmentation of regulatory responsibility, given that the very intention of the Mine Health and Safety Act is to develop a uniform and holistic approach to mine health and safety.

The mining industry and the Mine Health and Safety Inspectorate are well prepared for this change. During the interim period of licensing by the council, much has been achieved by the mining industry through the establishment of comprehensive programs on mines to protect workers and the public against radiation hazards.

Mines have equipped themselves with highly trained staff and sophisticated monitoring equipment, and have quantified, through comprehensive and detailed surveys, the radiation levels to which employees and members of the public are exposed.

Several of the inspectorate's staff are already qualified in radiation protection on mines, and the regulatory documents setting out basic requirements and standards are being reviewed in the tripartite structures established under the act.

The documentation is based strictly on international standards endorsed by the International Atomic Energy Agency, the International Labour Organization, the World Health Organization, and other world bodies, and is being reviewed by regulators from other countries. There is no question of standards being set below international norms.

What of the radiation hazards themselves, and the associated health effects? An extensive survey in 1993/94 showed that the average radiation dose received by underground gold miners was 13% of the internationally accepted dose limit. Thus is less than the radiation dose typically received by airline pilots, whose radiation exposures are not subject to any form of regulatory control.

Only 0.7% of the workplace radon levels that could cause the dose limit to be exceeded, and then only if the workplace were occupied by the same worker continuously for five years.

Concentrations of radon gas in underground workplaces—by far the greatest contributor to the radiation exposure—were such that in only 13% of workplaces would it be necessary in terms of international standards to institute any form of control.

Radiation doses to the public living near gold mines have been found to be generally less than 10% of the internationally accepted dose limit, while the recycling of scrap metal from gold mines exposes workers to no more than 0.02% of the acceptable limit.

Studies on uranium miners in North America and Europe, exposed to high levels of radon between 20 and 50 years ago, showed an increased risk of developing radiation-induced lung cancer late in life, typically after reaching 60 years of age.

Their exposures to radon were between 70 and 170 times greater than the annual exposures in SA gold mines, so it comes as no surprise that studies by the Medical Bureau for Occupational Diseases have failed to identify any increased risk of radiation-induced lung cancer among gold mine workers.

At the same time, the risk of lung cancer in those same gold mine workers was found to be more than doubled due to the effects of smoking.

Nevertheless, as a precautionary measure, it is assumed that some potential for radiation-induced health effects exists, even at the low radon levels in our gold mines, and exposures to radon are therefore being closely monitored and kept under control by adequate ventilation.

While much progress has been made during the interim period of nuclear regulation of mines by the council, it is becoming increasingly clear that the system of nuclear regulation is not suited to the nature of the radiological risks in the mining industry.

It is largely tailored to the safety of waste installations, where dangerously radioactive materials are handled and where there is always the risk of an accident with catastrophic consequences.

In the gold mining industry, where 200,000 jobs have been lost during the past 10 years, any unnecessary regulatory cost which does not reduce health and safety risks, and which is therefore unnecessarily burdensome, could be a real threat to the viability of certain mines that are already struggling to survive.

The unwarranted commitment of resources by mines to comply with misplaced requirements of nuclear regulation will not do anything to reduce the already low risks from radiation.

Notably, and importantly so, the use of radioscopes in medicine and industry, which are far more dangerous than any materials encountered in the mining industry, are not subject to the system of nuclear regulation, but are controlled instead by the health department under separate legislation dedicated to the control of hazardous materials. Why should a similar philosophy not be applied to radiation in the mining industry?

It is now obvious that the interim arrangement involving the nuclear licensing of mines has outlived its usefulness. It is time for nuclear regulation to focus on the safety of nuclear installations, and for the Mine Health and Safety Act to play its full role in providing the regulatory framework for all mines with health and safety issues, including radiation. The proposed revision to nuclear legislation do just that.
Ex-miners demand ‘unpaid’ benefits

Mandla Mnyaka

Hundreds of former miners aged 37 to nearly 80 years crammed into the Black Sash offices in Cape Town this week to seek help in applying for employment benefits to which they say they are entitled.

But they left frustrated after being advised by the office to approach the Employment Bureau of Africa in the areas where they were employed originally.

The bureau was set up by the mining industry in 1912 to recruit workers from southern Africa.

Some of the 400 former miners lost their jobs or were retrenched as far back as the 1940s, while others became unemployed in the late 1980s.

Among the group were women wanting widow’s pensions after their husbands were killed in mine accidents.

The miners had documents to prove they were entitled to long-service awards and provident-fund payouts they claimed the mining companies owed them.

The provident fund was set up jointly by the National Union of Mineworkers and the Chamber of Mines in 1988. Many of the miners said they had lost their jobs before the fund was established.

The rest had not completed the 15-year period of service they needed to be eligible for long-service awards.

The miners accused the present Government of “fooling around with the poor,” claiming there was a lack of co-operation between the miners and the Employment Bureau.

“We are here to demand what we’ve worked for in the mines,” said Mxolisi Skwenza, 36, of Nyanga, who worked on the President gold mine.

A Black Sash spokeswoman, Phumla Mncayi, said their offices had been inundated since August by former mineworkers claiming benefits.

“We advised them to re-apply for the benefits or to get all other required details from the Employment Bureau offices around the country — but they said they could not afford to travel to their home towns, where they were originally employed by the bureau.

“Others have been to the National Union of Mineworkers’ regional offices to inquire about these problems,” said Mrs Mncayi.

The Black Sash had approached the Employment Bureau’s head office and branches in the provinces and had been told the miners should come back in January.

Mario Wanza from the union acknowledged that many former mineworkers were in desperate need of their benefits.

His organisation would meet the Black Sash to discuss how they could tackle the problem.

Chamber of Mines industrial relations adviser Frans Barker said the chamber did not involve itself in the operational affairs of the mining companies for which the men had worked.

He said only people who had been employed after July 1989 would be eligible for money from the provident fund because that was when it was set up.
More than 500 former mineworkers are seeking advice from Black Sash offices in Cape Town on financial entitlements. The number of people seeking advice had increased dramatically, from 200 a week at the beginning of the year to more than 500 a day this week.

Black Sash offices inundated with claimants

Alan Fine

CAPE TOWN — The Employment Bureau of Africa (Teba), the mining industry's recruitment and personnel management arm, is to offer special assistance to the Black Sash, whose advice office here has been inundated by former mineworkers seeking advice on financial entitlements.

According to Black Sash regional director Pumla Mncaye, the advice office has been serving about 400 to 500 former miners a day this week. The increased numbers may have to do with reports of successful claims reaching the close-knit former miners' communities.

The advice seekers included miners who had lost their jobs through retrenchment, injury and illness and retirement. Some had come to Cape Town to seek work after losing their mining jobs, while others were traveling from the Eastern Cape.

Teba MD Roger Rowett said he planned to offer to send someone from the company's Johannesburg headquarters to assist.

He said Teba's data base showed some former miners were still entitled to payouts related to the industry's current and defunct provident funds' long-service allowances. Dependents of deceased miners may also be entitled to death benefits.

BD 11/11/98
**Sasol officials could be charged with 53 deaths**

*CHRISS BARRON  ST 22/11/98*

PETROL giant Sasol has been found criminally responsible for the deaths of 53 workers who were killed in an explosion at its Middelburg coal mine in Secunda in Mpumalanga in 1993.

In a scathing report released this week, the deputy chief inspector of mines, Kenneth Gudmanz, accused Sasol officials of ineffective management and supervision, and found that the explosion was fuelled by an “excessive” build-up of coal dust, and not by methane gas as claimed by Sasol.

The inquest magistrate, M Jungbluth, found that the behaviour of the officials in the period leading to the explosion constituted “a criminal offence”.

Gudmanz found that a Sasol mine manager, a shaft manager, two production supervisors and a shift supervisor caused the deaths through negligence.

He has recommended that these and other Sasol officials be prosecuted for violating 12 safety regulations.

Lawyers for black victims of the blast are demanding that Sasol accept responsibility and pay compensation.

Richard Spoor, a lawyer for the Chemical Workers’ Industrial Union, to which the black miners belonged, said lawyers for the black families would now push for charges of culpable homicide against the officials.

Spoor criticised Sasol for paying nothing to the families of the black victims apart from funeral contributions.

He said families of the white victims had pressed civil charges against Sasol and received an undisclosed out-of-court settlement. This route was not open to the black families because black workers, who earned less than their white counterparts, were covered by the Workmen’s Compensation Act. But the money they received was “absolutely inferior and does not approximate the actual loss suffered by black families”.

Sasol said this week it disagreed with the findings on the cause of the explosion. The findings will be considered by the office of the attorney-general, which will decide whether to prosecute.

Sasol communications manager Alfonso Niemand said that R7.7-million had been paid to families of the victims in accordance with the law and their service conditions, “without discrimination on any basis”.
Managers blamed for 53 deaths

Secunda – Members of the management team at Sasol's Middelbult Colliery near Secunda in Mpumalanga could face criminal charges after their alleged negligence cost the lives of 53 miners in an underground explosion in May 1998.

In a report released by the Department of Mineral and Energy Affairs last week, the mine's manager, the shift supervisor and two production superintendents were accused of gross negligence that led to the explosion in the north shaft.

Investigations found the blast was caused by ineffective mine management and supervision that led to a methane explosion, that ignited excessive coal dust in the air – African Eye News Service.
Sasol manager may be charged

JONATHAN ROSENTHAL

Johannesburg — A recently released report by the minerals and energy department into an explosion that killed 58 people at the Middelburg coal mine in 1998 had recommended that criminal charges be laid against Andre van Niekerk, the mine manager.

But Sasol, which owns the mine, said it disagreed with the findings regarding the cause of the accident and the recommendations regarding possible prosecutions.

The report, compiled by Ken Gudmanz, the department's deputy chief inspector, found that the mine management had failed to take reasonable measures to ensure the health and safety of employees at the mine as required by law.

The report found the explosion was caused primarily by the operation of a continuous mining machine in an unventilated part of the mine. Because there was insufficient ventilation in the 40m corridor along which the machine was mining, methane gas built up near the ceiling of the corridor. When this exploded, it ignited coal dust in other parts of the section, spreading the explosion and flame.

Gudmanz said contributing factors to the explosion included ineffective management and supervision, the presence of excessive amounts of coal dust, insufficient inertisation (such as spreading stone over the coal to prevent it from burning) and "the total disregard of good mining practice over a period of several shifts preceding the day of the accident."

On the day before the explosion, the shift manager was made aware that methane had been detected and that ventilation control walls, which would have helped clear the gas, had been removed. Ironically, two days before the explosion the mine was given the industry's highest award for safety by the National Occupational Safety Association.

On that day, the report alleged, the production superintendent failed to inspect the section and falsified entries on the inspection report and the clearing of gas report.

"Under these circumstances, a devastating propagating coal dust explosion was inevitable," Gudmanz found.

He recommended that van Niekerk be charged for failing to take reasonable measures to ensure the health and safety of employees and that other supervisors and managers be charged for causing serious bodily harm to persons at the mine.

These included charges for failing to cut off the electricity when methane gas was detected, failing to ensure adequate ventilation and failing to prevent the discharge of coal dust.

CT (PA) 25/11/98
Rovic judge calls for homicide charges

Renée Grawitzky

THE judge in the inquiry into the Rovic mine disaster, which claimed the lives of 20 miners in 1996, has lambasted management and mine owners, saying they were attempting to rape the mine while failing to heed that people were more important than money.

Judge Dirk Kotze of the Free State division of the high court recommended that the Canadian-owned Rovic mine in the Free State, its SA-based management company Metorex and three senior managers be prosecuted for culpable homicide for the deaths of the 20 miners.

Kotze said in his findings on Friday that a reasonable mine manager would have realised that the mud in the open pit was a time bomb waiting to be activated.

He said a reasonable mine manager should find a balance between production on the one hand and the health and safety of his workers on the other.

The National Union of Mineworkers (NUM), acting on behalf of its members, said yesterday the union intended meeting representatives of the attorney-general's office and national director of prosecutions Bulelani Ngcuka to ensure that the matter was dealt with effectively.

The bodies of 16 miners remain buried under tons of mud and water. To date Rovic has paid out R3.6m to the families of NUM members. The disaster occurred when about 50 miners were trapped underground after a mudslide flooded the mine. The mud burst through the floor of an open pit above the mine workings.

The three senior managers facing criminal charges include mine manager Pieter Smith, mine overseer Kobus Olivier and Metorex technical director Jomo King. King is about to be appointed president of the Golden Lions Rugby Football Union, succeeding Louis Luyt.

The NUM's attorney, Tefo Radita, said it was a historic judgment as liability had been placed where it should be.

The judge found that Smith and Olivier, among others, were involved in a plot to mislead the court about the fact that they had been informed the day before the accident by the mine's electrician, George van der Merwe, that an area of the ground above the mine was subsiding.

They failed to do anything about it before the accident and allowed workers to go underground.

King, a mining engineer, was unaware of this, but he faces charges of culpable homicide for allowing the uneven and unmonitored withdrawal of ore from one section of the mine.

The judge said King had told a "fanciful story" that a concrete roof or similar structure was keeping the floor of the open pit from caving in. Kotze found that King contradicted himself about eight times about the size of the alleged concrete roof. The mine failed to produce proper plans to illustrate King's claim, while the union complained throughout the proceedings that management was withholding documentation.

Five months before the accident, the mine was bought from the Lemkas group by Canadian-based Botswana Diamond Fields. SA-based Metorex was appointed to manage the mine and it planned to double production.
Rovic head has 'clear conscience'

FRANK NXUMALO
LABOUR EDITOR

Johannesburg — Jacobus Olivier, the captain of Rovic mine, said yesterday his conscience was clear and he was not responsible for the November 1996 mudslide in which 36 people lost their lives.

The bodies of 16 victims still lie entombed in the mud-filled mine, which has since been mothballed.

Last Thursday Judge Dirk Kotze, the chair of an inquiry into the disaster, cited "gross negligence" on the part of the mine, which is owned by Botswana Diamondfields and located in the Free State, as the cause of the disaster.

"Kobus Olivier, the mine captain, was not interested in keeping the mine's plans up to the required standards. "There was testimony that he made liquor, meat and women of questionable character available to visitors or inspectors," the judge said.

But Olivier said although there had been cross-examinations during the inquest, he did not believe much of the evidence the judge had cited to support his findings could stand the test of a court of law.

"I do not feel any responsibility at all. I acted in the way I thought best at the time. "I was at the mine and I know that a lot of things that are believed to have happened during the accident are not true." (112) CT(BR) 14/12/98

WAITING SEAT Jacobus Olivier, the captain of the Rovic mine, feels no responsibility for the disaster. PHOTO JOHN WOOLLERS

Olivier said the parties, Rovic and the National Union of Mineworkers, were now waiting to hear whether the attorney-general would prosecute.

Olivier said he was aware that although Peter Smith, the mine manager, was technically and ultimately responsible for what went on at the mine, he and Jomo King, the director of Metorex, the managing company for the Canadian owners, could be collectively and individually held responsible.
Asbestos victims win right to sue

THE House of Lords in London yesterday refused British company Cape Pic leave to appeal against a landmark decision by the Court of Appeal in July giving the go-ahead for five South African asbestos suffers to sue the company in the London High Court.

The claimants were exposed to blue and brown asbestos at work or from living in the vicinity of the mills and mines in the Northern Cape (Phoska and Koegas) and Northern Province (Penge).

They instituted proceedings last year.

In January this year, the London High Court granted Cape Pic a stay of proceedings on the grounds that the case would be heard in South Africa.

The Court of Appeal reversed the High Court decision, however.

It ruled instead that the five—two of whom have subsequently died—could sue the company in England.

Cape Pic disinvested from South Africa in 1979.

This left thousands of asbestos victims penniless and uninsured.

It also had a major environmental impact as the company left behind several contaminated and abandoned mines.

The claim by the five against Cape Pic follows successful damages actions brought in England by Richard Meenan, a lawyer with the London-based Leigh, Day and Co.

The actions were brought on behalf of 20 Thor Chemicals workers in KwaZulu-Natal—poisoned by mercury—as well as cancer victims from Rio Tinto’s Rossing uranium mine in Namibia.

The Thor case was settled for about R10 million in April last year.

At the same time, a further 21 Thor workers’ right to sue in England led to the Lord Chancellor proposing legislation to prevent foreigners from suing multinationals in English courts.

Since the Court of Appeal decision, Leigh, Day and Co have set up offices in Pretoria.

From there—in association with two South African law firms—the firm has taken instructions from about 600 asbestos sufferers from the Phoska area and a further 1,500 victims formerly employed at the Penge mine.

The instructions are to sue in the London High Court. — Staff Writer
Rovic disaster could bring about mine act changes

Management has labelled recommendations impractical, writes Renee Grawitzky

THE Mine Health and Safety Act, which came into effect last year, could be amended if the recommendations proposed by the judge in the inquiry into the Rovic mine disaster—where the lives of 20 miners in 1996 were accepted by government—were accepted by government.

Judge Dirk Kotze of the Free State division of the high court recommended on Friday that the mine’s owners, management company and three senior managers be prosecuted for culpable homicide for the miners’ deaths.

Kotze made a number of far-reaching recommendations on the obligations of mine managers in the event of a fatal mine accident, saying that in future accidents mine managers should hand over all relevant documentation to mineral and energy affairs department within 48 hours.

There were many acrimonious exchanges between counsel for the National Union of Mineworkers and the advocates representing Rovic and its SA-based management company, Metorex, during the inquiry over the company’s failure to produce relevant documentation and information.

Kotze said the mine’s plans were in a chaotic state and it appeared that they had not been updated for some time. In addition, the mine failed to convince him that there was a concrete roof or similar structure in place to keep the floor of the open pit from caving in.

Metorex’s technical director Jonn King claimed the roof was in place, but this could not be substantiated by the plans provided.

Kotze said similar problems had occurred in other inquiries into mine accidents in the past with regard to management’s failure to produce relevant information and documentation.

To ensure that managers presented all relevant documentation to the department in the event of a fatal accident, the judge recommended that they sign an affidavit stating that all documents had been handed over to the department within 48 hours.

Other recommendations include the reporting of a mine disaster within two hours to the department and the presentation of photographs and the list of deceased to the department within 24 hours.

The department’s chief inspector, Dick Bakker, said Kotze’s recommendations and findings entrenched the view that the responsibility for health and safety lay in the hands of management.

The findings “go further than the outcome of the joint inquest into the Vaal Reefs mine disaster.”

Bakker said that in terms of the new act a fatal accident must be reported immediately to the department. The department would then decide whether to initiate a joint inquest or two separate processes. This took time—in other words, documents could disappear.

Labour lawyer Willem Le Roux, who is representing the Hartbeesfontein mine in the inquiry into a 1997 mine accident, said Kotze’s recommendations were impractical. Mine management could not be expected to collate all documents and information within a period of 48 hours and not give attention to more important obligations. In the event of multiple fatalities the mine manager and his staff had to attend to rescue operations, deal with the families of the victims, continue managing the mine in a safe manner and maintain liaison with the media and trade unions.

Le Roux said at such an early stage it was difficult to decide the relevancy of documentation and information. What may be considered irrelevant at an early stage could become relevant at a later stage.

In terms of the act, the department’s inspectorate had wide powers to enter mine property and to obtain documentation if the mine manager was not co-operative. In view of these provisions, there should be no changes to current legislation or regulations, he said.

GETTING IT RIGHT

The mysterious product, “allium”, mentioned in a brief report yesterday should have been silicon.
NUM ‘must start afresh’ in case against Haartbeesfontein

Bakker steps down from mine inquiry

FRANK NKUMALO
LABOUR EDITOR

Johannesburg — A serious blow was dealt against the inquiry into the July 1997 disaster at Haartbeesfontein gold mine (Harties) when Dick Bakker, the presiding officer and chief inspector of mines, agreed to recuse himself.

The accident followed a seismic rock burst, measuring 4.5 on the Richter scale, in which 16 mineworkers died.

Last week Wilhem le Roux, the legal counsel for the mine, requested that Bakker recuse himself for allegedly having had discussions with National Union of Mineworkers (NUM) experts that could have “materially” affected the proceedings.

Le Roux argued that under the circumstances, Bakker could no longer be regarded as impartial.

Bakker said after reviewing all the factors that might have contributed to Harties’ fear of bias, he had concluded that “a reasonable apprehension of bias could exist on the part of the mine.

“I believe that no material injustice would result if these proceedings were commenced afresh, (given) the fact that the evidence of not even one witness has been concluded and that the inquiry was mostly limited to the discovery of documents,” Bakker said.

“Consequently I am inclined towards acceding to the request on the part of the mine, in the result I hereby recuse myself as presiding officer and designated inspector to conduct this inquiry.”

He said responsibility of dealing with the matter further would “probably revert to the powers from whence it came”.

This move was a complete about-face on the part of Bakker who had told Le Roux he would not step down as presiding officer without a high court order.

The legal representatives of the NUM said they were “very disheartened” by the turn of events, given the amount of money, time and effort already dedicated to the proceedings.

“We now face a situation where we have to start afresh,” said Senzi Baloyi of Chadle Thompson, the legal representatives for the NUM.

Baloyi said among the things that had to be redone were for the parties to decide whether they wanted an inquiry, in which case Bakker could appoint a presiding officer in terms of the Mine Health and Safety Act 1996.

Alternatively, they could request a joint inquest-inquiry in which case the presiding officer would be appointed by the judge president of the high court.
Mine inquiry to start anew after chairman’s recusal

Renée Grewitzky

THE inquiry into last year’s mine disaster at Avgold’s Hartebeesfontein gold mine, which claimed the lives of 18 miners, will have to start afresh in the new year after the presiding officer was forced to recuse himself as chairman of the proceedings.

Avgold applied for the recusal of inquiry chairman Dick Bakker after claiming that there was a potential bias on his part.

Bakker’s recusal comes amid numerous complaints by the National Union of Mineworkers (NUM), acting on behalf of the members who died in the accident, that the mine was not making available relevant documentation.

The union’s legal counsel, Gordon Aber, said during the proceedings yesterday that he would have to seek instructions from the union about its future participation in the inquiry.

Avgold’s legal representative, Willem le Roux, argued that Bakker had been seen discussing the case on two separate occasions with advisers to the NUM.

The union believed the issues under discussion between Bakker and the union’s advisers were material to the inquiry. The incidents created a “suspicion of bias” on Bakker’s part, Avgold said.

In its response, the NUM questioned whether the “facts” surrounding the incidents were sufficient grounds in law for Bakker to recuse himself.

Aber said the mine had failed to demonstrate that there was any sound reason in fact or in law for the chairman to recuse himself. The union said the mine’s real reason for seeking a recusal was based on the contents of a confidential memorandum drawn up by the mine.

This document stated that the “focus of multiple rock burst fatality inquiries seems to have shifted from what happened to who can be kept responsible.”

As multiple rock burst fatalities are uncommon to Hartebeesfontein, it is very likely that Mr Bakker will be more involved even in the less severe cases. The most recent experience is that the purpose of the inquiry is to find somebody who can be blamed and kept responsible.”

The accident at Hartebeesfontein in the North West resulted from an underground rockfall precipitated by a seismic event measuring 4.1 on the Richter scale.

Bakker said the “quoted perception in the memorandum is relevant” although it did not form the basis of the mine’s application for his recusal.

He denied that his discussion with an expert consultant retained by the union related to the accident, but conceded that his discussion with a second NUM consultant did touch on the inquiry. He said the memorandum constituted proof of an apprehension of bias against the mine. In view of this, he agreed to recuse himself despite earlier claims that he would not.
Mine safety at risk due to lack of funds

Audit finds cost to industry in work-related deaths, injury and ill health amounts to R1.14bn a year

Stephanie Bothma

PRETORIA — The health and safety inspectorate is unable to ensure safe, healthy working conditions on SA mines, largely due to inadequate training and poor remuneration, a performance audit by Auditor-General Hein Kruiever says.

The report said the inspectorate had a 31% shortage of professionals in March this year. Its 209 professionals and 53 administrators were responsible for maintaining health and safety standards at about 1,200 operational mines. The SA ratio of inspectors to miners was 1.47:1 compared with 1.73:1 in Australia.

Kruiever said 8,868 miners were killed and 17,007 seriously injured from 1984 to 1997. The cost to the industry in work-related deaths and injury, together with costs resulting from ill health, amounted to R1.14bn a year.

Occupational health was the highest risk area yet only a small portion of research funds on the mines was spent on that aspect of the inspectorate’s work.

The audit, conducted by Kruiever between August 1997 and August 31 this year, found that the financial implications of occupational disease among miners were not being monitored.

“Although HIV exacerbates the occurrence of tuberculosis, prospective and current miners are not compelled to undergo HIV tests,” the report said. “However, according to educated estimates, between 20% and 30% of the total labour force of about 570,000 miners is HIV positive and the total cost of treatment for tuberculosis is about R210m per year.”

In addition, radioactivity caused cancer and genetic defects which passed from one generation to another. Costs related to treatment of cancer patients from mines could vary from R120 to R60,000 per patient a month.

The report said the incidence of cancer per 367,000 risk-associated miners amounted to 15,000 for gold mines, 1,100 for coal mines and 2,250 for platinum mines. “Calculated at a nominal cost of R12,000 per patient per year, the total cost to the mining industry per year amounted to R220m, but this was never reported on (by the inspectorate).”

The inspectorate was also criticised for inadequate preventative measures to reduce “falls of ground accidents.” In total, 45% of deaths were related to falls of ground. “A special internal investigation relating to three incidents revealed that 15 lives could have been saved had the correct roof support management systems been applied.”

Kruiever quoted a report from a regional office in Mpumalanga as saying that between July 1 and September 30, 1997, 128 out of 160 accidents of this type could have been avoided if standard requirements had been complied with.

Kruiever said accident investigations focused on determining blame rather than on identifying basic causes and instituting preventative systems.

“The report found that there was no proper planning to ensure the most effective use of scarce resources for follow-up inspections at mines and that a disproportionate number of inspections were carried out by the inspectorate.”

Kruiever said several corrective steps had been taken in response to the audit, including the drafting of guidelines on occupational diseases in mines and setting up a task team to tackle the issues.
Mine health and safety inspectorate denies it lacks adequate funding, staff

PRETORIA — The mine health and safety inspectorate had adequate staff and funds to do its work, minerals and energy department deputy director-general Dick Bakker said yesterday.

Bakker denied a finding by Auditor-General Henri Kliever that the inspectorate was unable to ensure safe, healthy working conditions on SA mines due to inadequate training and poor salaries.

He said 50 assistant inspectors would start work next month after completing three years’ training, bringing the number of such staff up to strength.

The inspectorate was about 15% short of machine inspectors, while the number of mine inspectors was nearly adequate.

Bakker confirmed that the ratio of inspectors to miners in SA was 1.790 — much higher than in most other countries. This could be attributed to the fact that the gold mining industry in SA was labour intensive, while most other mining countries focused on coal — a more machine-driven industry. He said the body had 180 inspectors, enough to enable it to do its work.

The new Mine Health and Safety Act placed the onus on mine managers to ensure safe and healthy working conditions for their workers, Bakker said. The inspectorate was responsible for ensuring that this was done by means of regular inspections and audits.

"Of course one always hopes for more staff, but we are able to implement the act in its current form," Bakker said. The inspectorate had enough money. Its last budget amounted to about R120m, which was what it had requested.

On salaries, he said "there can always be improvements." According to a performance audit by Kliever, the inspectorate had a 31% shortage of professionals in March this year. He reportedly found that 8,888 miners were killed and 17,307 seriously injured from 1984 to 1997, resulting in an annual cost of R1.1bn to the industry.

Bakker said Kliever had focused on the negative aspects in his report. "He looked at what had been done and what had not been done, but he did not take into account a number of things that were in the implementation stage at the time of the audit." Bakker said the country’s first mine medical inspectorate was set up this year. He said Kliever had been aware that such a move was in the pipeline, but didn’t report on it.

SA had one of the most sophisticated accident reporting data systems, he said. Thus, enabled the inspectorate to identify problem mines, which then became subjects of a new, intensive audit system.

Mines where no problems were reported were also visited regularly. Large mines were visited at least once weekly, smaller ones about once a month, and the smallest mines about twice a year.

Bakker rejected Kliever’s criticism that the inspectorate had failed to introduce measures to prevent "false accidents." He said a new system came into effect in July in terms of which the inspectorate could fine mine managers up to R200,000 for failing to adhere to health and safety standards.

Bakker described as nonsense an accusation by Kliever that the inspectorate had focused on determining blame, rather than on identifying the causes and preventative measures.

The body’s aim was to identify the causes of accidents so it could recommend ways in which future mishaps could be avoided, he said. The directorate had a R40m budget exclusively for research into accident prevention.

Bakker also rejected a finding that the inspectorate failed to provide effective safety information to the industry. He said the body issued a monthly newsletter to all mines, which included such data.

Reports on accident prevention research was also distributed to all mines. — Sapa
Mine inspectorate boss counters report that it cannot ensure safety

The mine health- and safety inspectorate had adequate staff and funds to do its work, Minerals and Energy Department deputy director-general Dick Bakker said yesterday.

Bakker, who is responsible for the department’s mine health and safety division, denied a finding by Auditor-General Henk Kruiswijk that the inspectorate was unable to ensure safe, healthy working conditions on mines due to inadequate training and poor salaries.

Bakker confirmed that the ratio of inspectors to miners in South Africa was 1:4,780—much higher than in most other countries. He said this could be attributed to the fact that the gold mining industry in South Africa was labour intensive, while most other mining countries produced coal, a more machine-driven industry.

He said the body had 180 inspectors, enough to enable it to do its work. “Of course one always hopes for more staff, but we are able to implement the law in its current form.”

Bakker said the inspectorate also had enough money. Its most recent budget amounted to about R29.2-million, which was what it had requested.

According to a performance audit by Kruiswijk, the inspectorate had a 31% shortage of professionals in March.

He reported that 9,638 miners were killed and 17,307 seriously injured from 1984 to 1997, resulting in an annual cost of R13.9-billion to the industry.

Bakker said Kruiswijk had focused on the negative aspects in his report.

“He looked at what had been done and what had not been done, but he did not take into account a number of things that were in the implementation stage at the time of the audit.”

South Africa had one of the most sophisticated accident-reporting data systems in the world, he added. This enabled the inspectorate to identify problem mines, which then became the subjects of a new, intensive audit system.

Mines where no problems were reported were also visited regularly. Large mines were visited at least once a week, smaller ones about once a month, and the smallest mines about twice a year - Sapa
MINING - ACCIDENTS

1999
HIV/Aids timebomb in mining community

FRANK NXUMALO (ASSO.)

Johannesburg — The mining industry is staring disaster in the face because of a rapidly increasing HIV/AIDS epidemic on the mines, a survey published last week shows.

The study by the Epidemiology Research Unit and sponsored by the Mothusimpilo Trust, showed that one in every five miners in the Carletonville mining area, near Johannesburg, and up to 75 percent of the prostitutes from a nearby informal settlement, were infected with the HIV virus.

The research was conducted among 1 587 miners and 500 prostitutes in the Carletonville area. Anglo American and Gold Fields employ about 70 000 miners in this small mining town. Experts estimate the Carletonville HIV infection rate to be more than two-thirds higher than the national average, estimated at 2.8 million people and increasing at a rate of about 1 500 a day.

Although AIDS cuts indiscriminately across social class, race and age, research has shown it spreads like fire in migrant labour compounds and communities living in squalid conditions.

Zwelinzima Vavi, the deputy general secretary of Cosatu, stressed recently that the catalytic role played by poor social conditions in the rapid spread of HIV infection. He identified "a relationship between the legacy of apartheid and HIV/AIDS in that this epidemic is rife among mining towns, informal settlements, hostels and surrounding areas.

"Surely the greatest contributors to this situation is the labour migrant labour system and single-sex hostel system which unfortunately continued to be allowed to exist."

Cosatu has committed itself to a partnership with government to fight the scourge of AIDS.
Company seeks to refute a compensation bid by 2 000 SA miners by — in part — having their UK lawyers described as ‘ambulance chasers’

Asbestos claim: ‘spin doctors’ fire first salvo

THE INDEPENDENT
London

Dr Gerrit Schepers, a South African government health inspector, once remarked thus: "The administration used to make fun of the collecting bags to trample down and compact the asbestos fluff. There was a fellow patrolling the bags to lash at the backs of any boys who slowed their pace."

This is not an account of slavery in the 18th century, but the recollection of Schepers, who witnessed the labours of asbestos workers in British-owned mines as recently as 1985.

His testimony is to be used by lawyers as part of legal claims by more than 2 000 ex-SA asbestos workers and their families against Cape plc, the British company that owned the mine concerned which employed them.

Because of a test case in the House of Lords last year, the way was opened for them to sue and almost 1 900 did so this week.

But they have already come up against the forces of spin Cape, which owned the Cape Asbestos Company Ltd until 1978, has employed Charles Lewington, John Major’s former media guru, and Wulf Weeks, who ran Sir Edward Heath’s private office, to deflect attention away from the company’s responsibilities.

Already, the men and their companies, Media Strategists Ltd and GJW Government Relations, have set about trying to plant stories in the right-wing press pointing at the potential cost of granting legal aid to so many foreigners and describing their lawyers, Leigh, Day & Co, as “ambulance-chasers”.

They will, not, however, be able to erase Schepers’ memories of asbestos mining at Penge, in the northern Transvaal.

He saw men, women and children fighting for breath and dying from the cancers in their lungs caused by asbestos fibres.

"On the matter of whether black workers and white workers received equal health protection. It is almost ludicrous to suggest such a thing," he wrote to Leigh, Day & Co.

"The white workers spent 90% of their day in offices or dust-controlled enclaves in the mill.

"The black men, women and children were exposed to all the dust that was generated in drilling, blasting, mucking, cobbling and crushing asbestos ore."

"And white workers were given proper health care. At the mines and mill, the white workers lived in proper houses and were paid enough to be able to afford proper food and some luxuries such as automobiles.

"The blacks were crowded together in shanty town hovels, paid low and subsisted mainly on sour milk and maize porridge. There was no doctor for the blacks."

It is against this background that Cape is mounting a publicity blitz aimed at applying pressure on the Lord Chancellor, Lord Irvine of Lairg, to block legal aid applications from the South Africans.

"The intention is to portray the case as a ‘foreigners get legal aid’ story rather than promoting the ‘poor victims of heartless multi-national story.’ Lewington is understood to have advised Cape: "A friendly journalist at the Daily Mail should be alerted. [the journalists) would be provided with an (our) estimate of cost to the taxpayers were all plaintiffs to be fully funded."

In 1987, the latest records available, Cape reported profits of £12.3 million (about R238-million) on a turnover of £243.2-million from manufacturing and supplying building materials.

Richard Meenan, the Leigh Day partner representing the workers, said this week: "People here should not object to these workers claiming legal aid in Britain."

"Their action should be paid for by British taxes because, for decades, they were exploited by British companies who reaped the assets of their homeland and transported it to create wealth in Britain, leaving them with nothing except terrible illness."
Mine inspectors cannot ensure safety, audit finds

Linda Ensor

CAPE TOWN — The mine health and safety inspectorate failed to monitor the financial implications of occupational diseases in the mining industry, according to a performance audit tabled in Parliament this week.

The industry spent about R210m and R220m a year on treating tuberculosis and cancer respectively.

The audit, conducted between August 1997 and August 1998, also found that the inspectorate was unable to ensure safe and healthy working conditions in the industry because of inadequate manpower.

Australia had a ratio of one inspector for 733 miners, but SA's was one for 4 790 miners. From 1984 to 1997, 8 868 miners died, and 173 007 were seriously injured. Fatalities cost the industry R46bn in today's money terms.

Miners were not compelled to undergo HIV tests, though estimates were that between 20% and 30% were HIV-positive in the total of 570 606 miners.

The audit found that preventative measures to reduce loss of life on mines due to falls of ground were inadequate. Safety objectives were not achieved.
Danger on gold mines increases

Johannesburg — The fatality and injury rates on all South Africa’s mines declined marginally last year, but the latest statistics compiled by the department of minerals and energy show that South Africa’s gold mines became a little more dangerous over the same period.

Derek Balke, a senior inspector of mines in the department of minerals and energy, said the overall number of deaths and injuries in mines declined by 11 percent to 370 from 415 the previous year. But he said that since employment levels had also fallen, the fatality rate, measured in terms of the number of employees killed for every thousand at work, had remained fairly constant.

The safety statistics are in sharp contrast to those of developed mining nations. Statistics compiled by the US department of labour indicate that in 1996 the entire US mining industry suffered 138 fatal mining accidents, most of which were related to oil and gas extraction. In that year the US gold mining industry, which employs far fewer people than the South African industry, suffered six fatalities.

Last year the overall South African fatality rate fell to 0.86 employees killed for every 1,000 at work, from 0.88 the previous year. The number of employees seriously injured, such that they were incapacitated for at least 14 days, fell to 14,311 for every 1,000 employees, from 16,87 the previous year.

But on South Africa’s gold mines, the sector that experienced the greatest fall in employment numbers, the fatality and injury rates increased. Last year 1.29 in a 1,000 gold miners was killed, up from 0.96 the previous year, and 10.87 were seriously injured, compared with 9.54.

The increase breaks a steadily declining trend in the gold industry over the past few years.

A spokesman for the Chamber of Mines, the body representing most of the mining houses, said the general declining trend appeared to be as a result of a more co-operative approach between labour and employers on safety issues. New safety legislation, that among other reforms allowed miners to refuse to work in unsafe conditions, was brought into effect in January 1997.

Baker said last year’s increase in accidents on gold mines could possibly be attributed to the fact that mining was taking place at greater depths as well as the production pressures arising from the weak gold price.

He said there was no measurable correlation between increased labour productivity and accidents but said, “somewhere down the line it must have some effect on safety.”

Earlier this week Penuell Maduna, the minister of mineral and energy affairs, said the decrease in the absolute number of fatalities and injuries was a result of improved risk management and better health and safety measures.

# Business Watch, Page 12
a 'wound in his chest'

Compensation means nothing to me, says asbestos miner with

UWA DINES

The report on the finding of the

is the final body of the
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'Agreed Aday 1994'
Asbestos miners between a rock and a hard place

By LINDA DANIELS

South Africa's remaining asbestos mineworkers have an agonizing choice — unemployment or the risk of death. But they could soon be paid compensation from a national fund. Asbestos miners say they have not had much choice but to risk their health to feed their families.

But their lot could be alleviated by the report on the findings of the national asbestos summit last year, which was handed to the parliamentary portfolio committee on environmental affairs and tourism this week.

Among recommendations is that a national fund be set up within six months for compensation and legal aid for victims of asbestososis, a fatal lung disease that affects asbestos workers.

But this means nothing to asbestos miner Aron Sibande of Mpumalanga.

He says he has no choice but to continue working. He has been employed by the Msauli mine in Mpumalanga for the past 28 years.

Every two months he pays R50 at a hospital for medication to help "take away the pain that feels like a wound in my chest".

He was diagnosed with asbestososis in 1995 and says he did not know of the dangers of asbestos mining before then.

"No one told me. I knew only after I went to see the doctor," he said.

Sibande has 14 children and is the breadwinner of the family.

He said there were not many options open to him if he decided to stop working.

"If I don't work there's no food on the table for my family. I need help. If I stop working here, no one will feed my family."

He said he was sick and uneducated and could not find other work.

Many of his colleagues had asbestososis, and while many new employees at the mine knew of the health risk, they too have no alternative means of earning a living.

Sibande said miners were recently given pamphlets about the dangers of working at the mine and the high risk of contracting asbestososis.

Jerry Ndou, chairperson of the parliamentary sub-committee dealing with the issue, said compensation for asbestososis would benefit workers such as Sibande. Compensation recommended in the report included medical cover.

"I hope we'll be able to do something for these people who are suffering. We hope to bring to the government's attention just how serious the problem is," said Ndou.
NUNFURIOUS OVERTNUCLEARSABILS

By Malcolm Kay
Compromise proposal on bill

Linda Ensor

CAPE TOWN — The minerals and energy department has come up with a compromise proposal to meet the objections of the National Union of Mineworkers (NUM) to the National Nuclear Regulator Bill regarding the control of radiation in the mining industry.

The department has proposed that the mining industry be included under the ambit of the bill, but that no change be made to the Mine and Health Safety Act which made the chief inspector of mines responsible for the regulation of all mine hazards, including radiation.

However, the regulator would have to consult with the chief inspector of mines and the Mine Health and Safety Council on the monitoring and application of standards. Chief director Dork Bakker said that while the act had jurisdiction over all hazards in the mining industry, it had not in the past exercised any control over radiation, leaving this to the Council for Nuclear Safety. The union still has to endorse the proposal submitted to Parliament's committee on mineral and energy affairs, but the Chamber of Mines has flagged its in-principle agreement.

NUM objected to the fact that the bill excluded the mining industry from the ambit of the national regulator, and kept the supervision of radiation under the auspices of the department's mine health and safety inspectorate.

The union feared this would result in lower standards of radiation protection and wanted the council to retain its responsibility in this regard. It suggested the inspectorate had not effectively dealt with the problem of dust on the mines.

The department also accepted a proposal by Eskom that a licence fee paid by a licensee should reflect the actual costs of regulation of the specific licensee.
Mines urged to make dumps safe

BY MELANIE-ANN FERIS
Environment Reporter

"The worst scenario is that we apply to the national government to suspend their mining permits," Mokonyane said.

Mines that do not take responsibility for rehabilitating dumps, which are causing serious health and environmental problems in residential areas, could lose their mining permits.

Gauteng MEC for environmental affairs Nomvula Mokonyane said yesterday the department now had the legal power, in the form of the new Environmental Management Act, to take action against mines that did not take responsibility for rehabilitating dumps.

"For years, residents in Kagiso on the West Rand, Meadowlands and Dobsonville in Soweto, and the bordering Fleurhof community have been living under clouds of dust from nearby mine dumps."

Studies have shown that poisonous dust particles from the dumps, combined with smoke pollution, have caused air pollution levels to rise to three times higher than accepted international standards.

"Dr Vali Yousefi of the National Centre for Occupational Health said dust from mine dumps could contain high levels of crystalline silica, and people inhaling large volumes of dust containing these particles could develop silicosis, an incurable lung disease."

He said people living in the vicinity of mine dumps could do very little to protect themselves against exposure to dust caused by wind erosion or other natural or manmade activities.

"Government authorities and mine owners could rehabilitate sites to reduce or totally eliminate dust," Yousefi added.
New hurdle for asbestos cases

Laureys Ltd. to present South African asbestos victims taking case to UK court
INSIDE MINING

Placer to humanise face of SA mines

North American mine workers generally lead what we would consider a middle-class lifestyle. They often live in their own homes and work in relatively clean and safe environments, earning almost ten times the wage of South African miners.

All of this is not accidental. A combination of factors enable this, including lower unemployment, which means people have to be in need to work in mines rather than threatened with starvation. Tighter government health, safety and environmental regulations also play their part.

The flip side is that mining investment in North America is declining and moving to developing nations where it is less costly to comply with environmental legislation.

Harmony, the South African mining group, estimated its North American mines employ one-eighth the number of people it would have employed here.

The story is the same across the industrial board.

The question is can the North American model be applied to South Africa’s mines and would this be a good thing?

Placer Dome, the Canadian gold company that today takes control of a joint venture over the Western Areas’ mine, thinks it can.

Robert Franklin, the chairman of Placer’s board, said the high fatality and injury rates and incidence of occupational diseases on South African mines are unacceptable.

“Think of what has been acceptable levels of fatalities (on South Africa’s mines) is just not on. Having 20% plus of your employees with HIV is not on.”

On the joint venture team will be a Canadian health and safety expert whose job will be to immediately begin improving conditions in the mine.

This will include further investments in seismic monitoring equipment, to help anticipate rock falls, as well as a more collaborative approach to working in the mines.

The group will hope to apply some of the lessons it is learning from an international $30 million a year research programme aimed at improving the technology of safely extracting ore from mines.

Other changes will include replacing Fanagale, a mashmash language developed in the mines, with English to reduce miscommunication and thereby increase safety.

But Placer’s plans are to do more than make mining safer. It plans to change fundamentally the way in which deep mining takes place in this country.

For a start, decision making will be delegated right down to the mine, cutting out layers of cumbersome bureaucracy And, in a departure from convention, the joint venture will be headquartered right at the mine.

“We want our workers to have a better quality of life, and part of that is fewer people working in a more skilled fashion, producing more and earning more,” said Franklin.

That will include miners living in houses with their families rather than migrating to and from the rural areas.

In many respects the nature of the ore body, which has a reef that reaches a width of four metres in parts, lends itself to highly mechanised mining methods.

The flip side is the workforce on the mine is likely to fall dramatically over the next five years. Thus far the unions seem to be in favour of the broad proposals.

But once the full extent of job losses becomes clear, following an optimisation study on the mine in about six months’ time, it is not known how the workforce will respond.

The implications of Placer’s plans are likely to be far more wide-ranging than changes in the Western Areas mines. If it manages to apply a high productivity, high wage model, it will overturn the applecart of the whole South African mining industry.

Workers on other mines will justifiably begin to question why they still earn poor wages, contract lung diseases at work, and live in hotels.

Placer said its restructuring would not take place overnight, but we will be watching closely to see if it keeps its promises.
Mystery of missing miners: whose bodies reappear later

By SHOAIB MIRZA

What were they thinking? They were supposed to be dead. The bodies of 13 miners who went down into the mine in the town of Srinagar, were found a year later. The mine was sealed after an explosion and rescue efforts failed. But the bodies were recovered in a miraculous turn of events.

The mine was a coal mine in the town of Srinagar, where mining had been a way of life for generations. The miners were trapped underground when the explosion occurred. The rescue efforts were unsuccessful and the bodies were never found. But a year later, the mine was reopened and the miners' bodies were found.

The mine was reopened after a year, and the bodies of the miners were found in the coal. It was a miracle, say the authorities, as the miners had been presumed dead for a year. The families of the miners were overjoyed to see their loved ones again.

The mine was closed again after the bodies were recovered, and the authorities have promised to ensure safety measures are in place to prevent such incidents in the future.

The incident has raised questions about the safety measures in place in the mining industry. The authorities have promised to take stringent measures to prevent such incidents in the future.

Source: The Indian Express
There were 600 miners trapped in the mine. The situation was critical, with less than one hour left for the workers to escape. The rescue operation was in full swing, with helicopters and emergency vehicles on the scene. The miners were trapped by a landslide that occurred due to a nearby explosion. The rescue teams worked tirelessly to reach the miners and bring them to safety.

The situation was similar in another mine, where a similar disaster had occurred. The miners had been trapped for over 12 hours, and the situation was dire. The rescue operation was underway, with teams from various countries working together to save the miners.

In the meantime, the communities around the mines were in a state of shock. The loss of lives and property was significant, and the aftermath would take a long time to recover from.
Difficult search for 2 trapped miners

RESCUERS are battling against difficult conditions to reach two missing miners trapped underground since an earthquake struck the Free State town of Welkom in the early hours of Friday.

But there is concern for the safety of the two who are trapped at the Matjhabeng mine because they have not responded to the rescuers' calls.

Anglo Vaal spokesperson Pam Mongaste said the rescue effort would continue despite the lack of response.

Anglo Gold spokesperson Andries Van Zyl said the team was about 250 m from the men.

They had not given up hope that the men might still be alive.

About 1,000 miners underwent a horrifying ordeal when they were trapped more than a kilometre underground after seismic activity on Thursday night dislodged boulders and the subsequent quake cut off power supplies.

Many of the trapped workers had to walk about 8 km underground to a shaft from where they could reach the surface.

There was no power for the lifts because the quake damaged a nearby substation.

Emergency generators were brought in to bring the miners to the surface on Friday.

Six miners were admitted to the Ernest Oppenheimer hospital with injuries.

One man had serious head injuries, but the injuries of the other four were limited to bruises and lacerations.

Mongaste said rescue teams, assisted by volunteers, would continue searching for the two missing men. — Sapa
Hopes for two trapped miners fade

BY HOPEDELL RADERE

Hopes of finding two missing miners at the Eldorado shaft of Matlakeng mine in Welkom more than 70 hours after an earthquake were fading last night, mine officials Anglogold said.

The earthquake, measuring 4.8 on the Richter scale, shook the area early on Friday morning. All miners underground, barring the two missing men, were brought to the surface.

Spokesperson Andries van Zyl said Anglogold was racing against time, with rescue teams operating "under extremely difficult conditions."

"No contact had been made with the missing workers since the incident. "No one can say with certainty that they are alive or not," Van Zyl said.

"Anglogold obviously hopes that they are alive but we are concerned that more than 70 hours have elapsed since the incident and the chances of them surviving are diminishing," he added.
NUM calls for mining revamp

Johannesburg - The National Union of Mineworkers (NUM) last night made a strong call for the overhaul of the country’s mining methods after workers were trapped underground by an earthquake measuring 4.6 on the Richter scale. The quake struck the Elands shaft of Matjhabeng mine in Welkom on Thursday.

Archie Palana, the NUM deputy general secretary, asked why there had been no alternative electricity supply at the mine that would have allowed the immediate hoisting up of over 900 miners trapped by the quake.

James Duncan, the AngloGold communications executive officer, said there were “emergency diesel power generators at all four of the Matjhabeng mine shafts”.

Duncan said management was comfortable that procedures had been correct. He said NUM officials were involved throughout the proceedings, and neither at that time nor subsequently had they expressed discontent.

“The purpose of these generators is to provide power for surface telecommunications and lighting. Surface telecommunications is by battery-powered communications,” he said.

“The emergency generators also provide for small emergency lifts. These were not used in this instance because there was concern for shaft damage,” he added.

Director Matlala, the NUM Free State regional chairman, said the Occupational Health and Safety Act was a general safety policy guideline that stipulated “adequate standards” but was silent on detail. “We think some thing needs to be done to re-evaluate the methods used by South Africa’s mining industry.”
Slow but sure approach to trapped miners

Simphiwe Xako

CONCERN for the safety of two Welkom miners trapped about 1400m underground by a recent earthquake was the reason why rescuers were taking time to reach them, AngloGold spokesman Andrew van Zyl said yesterday.

The process entailed removing massive rocks and rubble using explosives and physical labour. Rescue teams yesterday adopted a two-pronged strategy, approaching the area from opposite directions, with the nearest coming within 150m of the stops area.

The two men, Lawrence Tsolo and John Delelele, were believed to have had access to medical supplies but had possibly been without food or water since Friday's earthquake.

All the other miners were brought to the surface safely last Friday when the Matjhabeng mine was hit by the earthquake, measuring 4.6 on the Richter scale. Van Zyl said mine management would go on searching until the men were found.

"The teams, which are using explosives, are experts in their field and are using them with the sole intention to move faster without causing greater risk to the miners. It means clearing rocks and creating safety," Van Zyl said.

He said full production at three of the mine's other shafts resumed on Sunday night.
Rescue teams closer to missing miners

ANGLOGOLD spokesman Mr Andries van Zyl yesterday praised the efforts of search teams which had been working “full steam ahead” to find trapped Welkom miners Mr Lawrence Tsolo and Mr John Delekle

Van Zyl said the teams were working in dangerous and difficult conditions and their efforts were being hampered by loose rocks created by the rockfall. But they were putting their full effort into finding the men for this, the last attempt, he said.

He said teams were digging into a 300 square metre area where the miners were thought to be. However, he would not comment on how far he thought the teams had progressed into this area.

“Distances are misleading. Each area has its own obstacles and so the distance itself is of no real value,” he said.

Tsolo and Delekle went missing underground at Matshabeng mine last Friday when an earthquake, measuring 4.6 on the Richter Scale, struck the Free State mining town.

About 1 000 other miners were safely brought to the surface with emergency power after the mine’s shaft elevators failed when a substation was damaged in the quake.

Earlier, Van Zyl said rescue teams had by Wednesday night pinpointed the area where the miners were thought to be.

“Stopes (the forefront of mining areas) bordering the area have been searched and the rescue teams are now focusing on a 300 square metre area,” he said.

He said the temperature and ventilation where the teams were working were “bearable” but it was not known whether the conditions were the same in the area where the men were thought to be trapped.

Though the two miners would have had first aid equipment with them, it was unlikely that they would have had enough food and water for their six-day ordeal,

Van Zyl said. — Sapa
Disaster strikes despite precautions

Whether mine safety has improved since 1996, is in debate, with Bellinga Anderson
SA asbestosis sufferers take legal fight to the UK

RONALD MORRIS

CUPIDO ADAMS, 76, of Prieska, last left South Africa to fight in World War II.

Last week he left South Africa again to fight a British multinational company for compensation for his illness.

Yesterday Adams told British MPs that after the war he joined Cape Plc, the world's largest asbestos mining company, as a packer.

He was not given protective clothing and, like members of his family long since dead, he suffers from asbestosis.

He, along with almost 2,000 other South African victims, have initiated damages actions against Cape Plc in the London High Court after the House of Lords ruled that a British company could be sued in a British court for injuries caused by their overseas operations.

Hendrik Ismael Afrika and other claimants said they suffered personal injuries or damages as a result of Cape Plc's negligence.

Three months ago, Cape Plc was accused of trying to pressure the Lord Chancellor, Britain's senior judge, to amend a law to prevent the damages actions being heard in the UK. In a document, Charles Lewington, a media adviser to former British Prime Minister John Major, said the cases could damage trade relations between the two countries.

It also said the Foreign Office was concerned that pursuing the cases in the UK would be seen as displaying a lack of faith in the South African legal system.

The firm also tried to whip up public sentiment by saying the claimants would not be funded by the British legal aid system.

Trade and Industry Minister, Alec Erwin, has given permission for the enforcement of a British judgment against South Africa, while Mineral and Energy Affairs Minister, Penuel Maduna, has consented to name inspectors giving evidence and to make documents available.

In Prieska, where Cape Plc operated a mill for 34 years, 13% of the deaths were attributed to mesothelioma, a painful asbestos-related cancer.

Here asbestos levels were recorded in 1948 as almost 30 times higher than the maximum permissible UK limit.

Cape Plc divested in 1979 leaving behind thousands of asbestos victims penniless and uninsured. It left it to the South African government to deal with the contaminated and abandoned mines.
Rockfall kills two miners

Two AngloGold miners were found in an underground rock fall at the Emurang mine near Carletonville yesterday, an AngloGold statement said.

The miners, whose names would not be released until their next-of-kin had been informed, were working almost 100m underground when a tremor measuring 1.8 on the Richter scale caused a rockfall.

Two other employees were injured - Sapa
Wage talks focus on AIDS

Renée Grawitzky

WAGE negotiations between the National Union of Mineworkers (NUM) and collieries will focus extensively on AIDS awareness programmes after a survey found that up to 20% of coal miners are HIV-positive.

This formed the basis of the start of wage negotiations between the Chamber of Mines and the NUM on Thursday.

Initial discussions were also held on the effect on coal mines of fully implementing the Basic Conditions of Employment Act. Employers estimate it will raise overall labour costs by up to 8%.

The same wage demands were tabled for gold and coal mines: minimum increases of 25% and minimum wages of R5 500 for surface and R2 600 for underground workers. Parties have yet to schedule meetings for the start of wage negotiations for gold mines, but industry sources said consideration was being given to preliminary talks.

Chamber of Mines health adviser Lettie La Grange said the results of the HIV/AIDS survey were in line with the national average statistics released by the health department, although miners were considered a high-risk group.

However, prevalence could be higher on gold mines which employed more migrant workers, La Grange said.

In Carletonville, initial research showed that up to 30% of gold miners tested HIV-positive.

The industry agreed in March to set up a structure to monitor and address HIV/AIDS on the mines.
Experts to probe cause of Mponeng mining accident

Government has received a blow, say Simphiwe Xako and Sapa

Government has appointed a team of six explosives experts to investigate the cause of last week’s accident at the AngloGold’s Mponeng mine in Carletonville.

Minerals and energy director-general Sandle Noguma said the team, headed by deputy chief inspector of mines Harold Motaung, would resume the inquiry today.

"Government has summoned the team of explosives experts to get to the root cause of the accident. The disaster is a blow since government has in the past three years been focusing on creating a (safe) working environment for miners," Noguma said.

The accident is SA’s worst mining disaster in two years and brings to about 179 the number of miners killed since the start of the year. This figure is slightly lower than the 201 deaths recorded in the first six months of last year.

AngloGold spokesman James Duncan said in a statement that rescue workers at the site yesterday recovered the body of a miner who had been missing since the underground explosion at the mine on Thursday night.

He said team members wearing special breathing apparatus to cope with gas and smoke had been searching the area in 12-hour shifts round the clock.

"(The) body was found at about 5am, not far from where the explosion is believed to have happened," Duncan said.

The explosion — which mine management believe was triggered by methane gas — occurred at about 6am on level 99, which is about 2 700m below the surface.

Official figures show a steady decline in the numbers of deaths and injuries in SA mines over the past 15 years, although analysts say this is partly because of the decrease in the number of people employed in the industry.

However, death and injury rates, calculated as a proportion of the number of people at work — which are regarded as a more accurate measure — have also stabilised or moved downwards.

In 1984, 774 people were killed and 15 745 injured. The fatality rate was 1.12 per 1 000 persons at work.

Last year, SA’s mines recorded a fatality rate of 0.86 deaths per 1 000, the same as in 1997. The total number of deaths dropped from 415 in 1997 to 37.

Gold mines have always accounted for the vast majority of deaths and injuries in the mining industry.

The Mponeng disaster is the worst one to have hit SA’s mining industry since July 21 1997, when 18 people were killed at Anglogold’s Hartebeesfontein mine in the North West Province.

Most of the accidents over the past two years have been fairly small with no more than four people being killed in each incident.

SA’s worst mining disaster took place at the Kinnas mine in 1986, when 177 people were killed.

At Vaal Reefs in 1995, 104 miners were killed when the cage carrying them plunged to the bottom of a shaft.

Most mining accidents are caused by seismic-related activity, such as rockfall and rockbursts, while gas accidents are fairly rare, according to Derek Baker, a senior mine inspector at the mines and energy department.

Most fatalities occur either at the workplace or very close to it.

In September 1995, however, a gas explosion claimed 88 lives at AngloGold’s Landerland mine, in the same area as Mponeng.

Initial reports from the Mponeng mine show that methane was detected before the explosion but that workers were not able to clear the area in time.

Ironically, AngloGold executives and mine union leaders launched a “zero tolerance” safety campaign earlier this month in an attempt to promote the idea that safety was the responsibility of each employee.
Bid to delay asbestos case

Ronald Morris

The fate of thousands of asbestos victims and their families hangs in the balance as the London High Court decides this week on a bid by Cape plc, defendant in a multimillion pound damages action, for a stay of proceedings.

Asbestos, a debilitating lung disease, and mesothelioma, a very painful asbestos-related cancer, is caused by unprotected workers breathing in asbestos fibers.

Cape plc owned asbestos plants or mills in the Northern Cape, the Northern Province, North West Province and Gauteng. It disinvested from South Africa in 1979, leaving thousands of asbestos victims penniless and uninsured.

Cape plc is defending a damages action brought by Hendrik Afrika and 2,000 workers who are being funded by a British legal aid agency. About 400 former Cape plc workers have died and family members have brought the action on behalf of their estates.

Afrika and his co-claimants contend that Cape plc was fully aware of the dangers of asbestos from 1931 when Britain’s asbestos regulations were introduced to reduce exposure.

Medical evidence before the London High Court is that in Pinetown, where Cape operated a mill for 34 years, 13% of deaths were attributed to mesothelioma. Asbestos levels at the mill were recorded in 1948 as almost 30 times higher than the maximum permissible UK limit.

In asking for a stay of proceedings, Cape’s lawyers will argue today that from an original five applicants, the group of claimants has grown to 2,000.

In January last year the London High Court granted Cape plc a stay of proceedings on the grounds that the case could be heard in South Africa. However, the Court of Appeal overturned the decision and ruled that the five claimants — two of whom have died — could sue Cape in England. A House of Lords refusal to grant Cape leave to appeal cleared the way for an initial 1,700 South African victims to sue the company in the London High Court.

Cape plc will argue that when the Court of Appeal made its ruling, it was not aware that a far larger number of claimants would sue and its decision should therefore be reviewed.

The hearing has been set aside for five days. Eminent South African advocates Peter Hodes, SC, and Gilbert Marcus, SC, for Cape plc, and Jeremy Gauntlett, SC, Wim Trengove, SC, and George Bazos, SC, for asbestos victims, will be used by both sides as experts on aspects of South African law.

Issues on which they will be called to give opinions include the availability of funding to sue Cape in South African courts; whether damages claims can be brought on behalf of a deceased’s estate and whether mechanisms in South Africa exist to bring class actions.

Trade and Industry Minister Alec Erwin has given permission for the enforcement of the British judgment in South Africa. Similarly, Penuell Maduna, the former minister of mineral and energy affairs, has pledged his support to the claimants and consented to South African mine inspectors giving evidence and making documents available for the trial.

See Business Report
Bid to keep asbestos case in SA

LONDON: A British company being sued by 4 000 South Africans, who say they are victims of asbestos-related diseases, began its latest court action yesterday to prevent the case from being heard in Britain.

A High Court in London began hearing the "stay application" by industrial group Cape plc, which wants the joint legal action by the alleged victims heard in South Africa.

The plaintiffs say they contracted diseases as a result of Cape plc's asbestos mining activities in South Africa, in the Northern Cape and Northern Province. Many are former employees of Cape plc, which sold the last of its mines and mills in South Africa in 1979.

The most serious disease affecting people exposed to asbestos without protection is mesothelioma, a cancer of the lining of the lung or of the abdomen.

Cape's senior lawyer, Brian Doctor, told the court yesterday the case should be heard in South Africa because the events leading to the claim had occurred there and that was where the relevant information had to be collected.

"The allegations made against (Cape plc) have to be investigated from scratch," Doctor said.

"The defendant has very little documentation relating to South Africa ... There is no one to whom the company can turn. It has to go out and find documents, information, witnesses and so on."

Lawyers for the plaintiffs will argue there is no mechanism for South African courts to hear a mass claim of this nature.

Solicitor Anthony Coombs, who represents 1 500 of the claimants, has previously argued that Cape plc took decisions in Britain which directly affected practices followed on the mines. The latest case will last at least until Thursday — Reuters
Asbestos case: SA or UK?

S Gustav Thiel
CONSUMER WRITER

THE London High Court is expected to decide at the end of this month whether a case involving 4000 South Africans, who claim to be suffering from asbestos-related illnesses, will be heard in South Africa or England.

Cape plc, once the largest asbestos mining company in the world, said on July 5 that the case should be heard in South Africa when it became apparent that the number of claimants had risen from five to 4000.

Malcolm Lyons, a South African lawyer who represents 2000 claimants, has just returned from London where he is trying to ensure that the case will be heard in England. According to him it is vitally important for the claimants that the case be heard in the London High Court because it could potentially mean a bigger settlement for his clients.

The claimants say they contracted the diseases when they were employed by Cape plc in the Northern Cape and Northern Province. Cape plc sold the last of its mines and asbestos mills in South Africa in 1979. The mines were at Prieska and Koegas in the Northern Cape, Pomfret in the North West and Penge in the Northern Province. There were several factories in Benoni. Cape plc started its operations in South Africa in 1930.

It left in 1979, leaving stranded without compensation many victims of asbestos-related illnesses.

Figures released by the SA Pulmonary Society in March this year showed that more than half of former asbestos workers suffer from lung diseases caused by asbestos. The society also said half the population of Prieska suffers from asbestos-related illnesses.

In 1997 five claimants were successful in suing the company in the London High Court, but the court granted a stay of the proceedings on the grounds that the case should be heard in South Africa.

Cape plc's senior lawyer, Brian Doctor, argued that the case should be heard in South Africa principally because the events leading to the claims occurred in this country and relevant documentation was likely to be gathered in South Africa.

Doctor said his client had very little documentation relating to South Africa and would have to start an investigation from scratch.

Lyons told the Cape Times that he was not sure what the London High Court would decide, but remained confident of winning the right to sue Cape plc in London. He said judgment had been reserved by the court, but expected a decision by the end of the month.
Old asbestos mine is still killing villagers

By HANGWAN MULAIIO

DESPITE its closure more than 30 years ago, the asbestos mine which was left open is still claiming dozens of lives of its Mathabathla villagers. At least 20 people are reported to have died since the beginning of the year.

Efforts by the Royal Society of Arts to rehabilitate the mine have been stymied because those who worked on the projects felt seriously ill because of the primitive asbestos that has resulted in the deaths of some of the workers.

The epidemic, which is fast taking over the area, according to the residents, needs urgent attention before it spreads out of control.

In an attempt to get their situation addressed, the villagers turned to City Press. They want initiatives taken on their behalf.

Shebelele spoke in harsh terms, launching scathing attacks against the mine management which has since vanished and against the provincial mining and energy department for failing to solve the problem.

Mathabathla Health and Asbestos Association director Shadrack Molokone said that area is experiencing hazardous asbestos fumes which are fast destroying the nation.

He said initiatives to deal with the problem should receive a high priority from government officials.

According to Molokone, the mining company (Ergon Asbestos) from the UK started operating in the early 1920s until 1978, when the mine closed.

Molokone said that in that period of 58 years, 21 other small companies developed, leaving the situation unmanageable for everyone in the area.

Molokone said that since the mines closed 30 years ago, many lives have been lost.

He added that there was every likelihood that more lives would be lost.

This prompted an intense investigative mission which revealed that the cause of the deaths and disabilities was the asbestos dust in and around the village.

"It is known that our people are not dying of natural causes. The fumes from the asbestos pads are the cause."

"Our village is seriously affected by the fumes. People are running around trying to locate a better place for themselves, but unemployment and poverty makes this impossible."

"The Mambu River serves as the only source of water in the area, but the water is also contaminated."

"How long must we continue to bury people on an almost weekly basis?" The government has been fully informed about this disaster," said Molokone.

Molokone said they are trying on their own to locate the mine management to claim compensation for the losses incurred and still to be recovered.

He said his association is currently taking down statistics of all people infected by the asbestos.

So far they have established that more than 80 people have fallen sick in the fumes and the number is expected to increase.

"We are a dying nation, but we are not going to allow these exploiters to get away with murder. "We are more than willing to take the fight to mine management whenever they are, whether we get any assistance from the government or not," said Molokone.

Dying people... Shadrack Molokone says asbestos fumes and dust are continuing to kill people in the Ho-Mathabathla area where a UK company, Ergon Asbestos, operated a mine for 58 years until its closure in 1978. Residents want the government to compensate for their suffering.
Steps to lessen impact of epidemic on mining industry 'almost too late to be effective'

**Aids toll will cost Anglo Coal R156m**

**Jonathan Rosenthal**

**COMMENTS FOR**

Johannesburg - Anglo Coal, one of South Africa's top exporters, yesterday said the HIV epidemic among miners would cost the company R156 million over the next five years.

Alan Martin, a senior vice-president responsible for human resources at Anglo Coal, said shifts lost because of illness had doubled in the past six years.

The group also had to grapple with issues such as the loss of skilled personnel, the costs of recurring replacements, reduced performance from all employees and workers taking days off to attend the funerals of colleagues dying from HIV-related illnesses.

Martin speaking at an Ernst & Young seminar on the impact of Aids on the mining industry said it was almost too late to start implementing measures to deal with the crisis.

He said mines needed to try to reduce the spread of HIV through education campaigns and other measures and take steps to alleviate the impact of HIV on the bottom line.

Such steps included identifying key positions, such as heavy equipment operators, and training a pool of replacements at the latest stage of the epidemic.

Robert McCallum, a mining industry partner at Ernst & Young, warned Aids would reduce labour effectiveness as well as impact on costs of benefits.

"There is a huge off balance sheet contingent liability that hasn't been quantified and hasn't been booked," he said. "It is a huge black hole in the financial statements of companies." 

Johanna Braaksma, a director of Alexander Forbes and the convener of the Actuarial Society's Aids committee, said within five years companies could lose up to 20% of their workforce as employees went on disability or died of AIDS.

"Industries that are heavily reliant on a relatively skilled labour force, of which mining is foremost, have to face the fact that 5 to 10% of their workforce every year will be lost to Aids. By 2004, up to 15% of their workforce will be lost," she said.

Speakers at the conference said an urgent priority was to secure effective treatment of other sexually transmitted diseases, as this could slow the spread of HIV.

Brian Williams, an epidemiology expert, said spread of the disease had been slowed in other countries through initiatives such as lubricating and regulating sex. More research was needed into the control of infections such as TB that are ultimately responsible for Aids-related deaths.

**NUM defends safety legislation**

**Frank Kuzmazi**

Johannesburg - The National Union of Mineworkers (NUM) yesterday voiced its support for the amended Miners Health and Safety Act of 1996.

The act demands transparency from mining companies and allows for fines of up to R500 000 should a mining company be found to have contravened any of its provisions.

The NUM was reacting to a recommendation made yesterday following a seminar on health and safety in mining organised by the Chamber of Mines.

The seminar concluded that the amendment seriously compromised the original intentions of the act - which were to promote safety and impose an onerous civil and criminal liability on the employer in the event of accidents in the mine.

"The NUM said the act should not be seen as being to the detriment of safety in the mining industry. The NUM would support the amendment if it is clear that the new provisions do not compromise the safety of the miners," a NUM official said.

"The NUM would support the amendment if it is clear that the new provisions do not compromise the safety of the miners," a NUM official said.

Enactment of the amendment would mean that mining companies would be required to have a safety management system in place.

"The act is to achieve the health and safety objectives of the act, and the other to avoid exposure to civil and criminal liability. These are two separate objectives, and the act does not provide for any acceptable resolution in this regard. In fact, section 11(3) of the act totally disregards the employer's interest to expose himself to criminal and civil liability," the NUM said.

Le Roux said the NUM was concerned about the wording of the amendment and that the amendment would affect the employer's interest to expose himself to criminal and civil liability. It was concerned about the wording of the amendment and that the amendment would affect the employer's interest to expose himself to criminal and civil liability. It was concerned about the wording of the amendment and that the amendment would affect the employer's interest to expose himself to criminal and civil liability. It was concerned about the wording of the amendment and that the amendment would affect the employer's interest to expose himself to criminal and civil liability. It was concerned about the wording of the amendment and that the amendment would affect the employer's interest to expose himself to criminal and civil liability. It was concerned about the wording of the amendment and that the amendment would affect the employer's interest to expose himself to criminal and civil liability. It was concerned about the wording of the amendment and that the amendment would affect the employer's interest to expose himself to criminal and civil liability. It was concerned about the wording of the amendment and that the amendment would affect the employer's interest to expose himself to criminal and civil liability. It was concerned about the wording of the amendment and that the amendment would affect the employer's interest to expose himself to criminal and civil liability. It was concerned about the wording of the amendment and that the amendment would affect the employer's interest to expose himself to criminal and civil liability. It was concerned about the wording of the amendment and that the amendment would affect the employer's interest to expose himself to criminal and civil liability.
HIV poses threat to mine output — warning

Ilja Graulich

There are fears that next three to four years could see as many as half of the workers at some mines infected with HIV, resulting in an overall reduction in gross domestic production growth of between 1%-2% a year.

This "pessimistic yet realistic" prediction was part of a presentation by auditing firm Ernst & Young yesterday at a seminar on the effect of AIDS on the SA mining industry.

Alexander Forbes senior director Janina Slawski said in her address that the total HIV prevalence in the next four to five years could be as high as 45%, varying among mine communities. This could result in overall productivity losses of up to 15% because of sick leave and absenteeism due to attendance at funerals.

Slawski said the effect on individual firms would be that the mines would have to find and train new workers totalling about 20% of the current workforce, with an attrition rate of 5% to 10% of the workforce a year. Another 15% of workers would be less than 50% productive because of illness. Since most new workers employed to replace AIDS victims would be unskilled and need extensive training, there would be a direct effect on mines' bottom lines.

On top of production losses and additional training costs, medical aid and retirement fund payments could increase exponentially.

The effects could also spread to the macro-economic sphere, affecting foreign investment and business confidence by rendering SA less competitive than its counterparts not affected by AIDS, Slawski said.

Yet amid the doom and gloom, there was positive input Brian Williams, a research scientist at the Council for Scientific and Industrial Research, said while it was clear conditions in which miners lived suited the spread of HIV at work and at home the virus was not invincible.

The battle, he said, was not one of eradicating the virus but of restricting its spread by education programmes for workers, nearby communities and especially prostitutes.

Alan Martin, senior human resources vice-president at Anglo Coal, said management of the fallout from AIDS was a priority, including setting up support structures such as hospitals and hospice associations for infected workers.
Aids hits mines hard

...THE impact of HIV-Aids in South Africa is set to bury the mining sector if drastic measures are not implemented to manage the spread and reduction of infection...

...According to Ernst and Young, a global consulting firm, HIV prevalence on South African mines is already between seven and 17 percent above other population sectors...

...Ernst and Young said 22.7 percent of pregnant women tested positive at the end of last year and have the capacity to reach a 50 percent mark in certain mining populations in the next few years...

...During the opening seminar on the impact of AIDS on mining in South Africa, Kobus Moodman, the company's mining industry partner, expressed his concern at how the disease could affect companies...

..."Firstly, labour effectiveness could be impacted, leading to under-performance due to illness, while the second impact would be on medical aid and retirement funds," he said...

...According to Janusz Stawski, financial services director at Alexander Forbes, said the epidemic could not be over dramatized...

..."Industries that are heavily reliant on a relatively skilled labour force have to face the fact that five to 10 percent of their workforce every year will be lost to AIDS."

...However, despite the doom and gloom, there is hope for South Africa and its economy. The company believes it is possible to reduce the rate of infection through targeted education and support of the affected companies and industry sectors...
18 miners killed as gas explodes underground

Johannesburg – Eighteen miners died in a gas explosion 2 700m below the surface of Mponeng gold mine in Carletonville last night.

AngloGold spokesman James Duncan said today 20 miners were rescued and one was missing.

Speaking from the mine (formerly Western Deep Levels South mine), Mr. Duncan said about 20 rescuers, who had been working since the explosion at Level 99 at 8pm, found the 15th body early today.

He said “We will keep on going until we are satisfied everybody is accounted for.”

The rescue teams had the equipment and training to work underground with little or no ventilation, and in the presence of noxious fumes or smoke, he said.

They had lifted the 20 survivors to safety soon after the blast. They had been sent home to rest after a medical examination. None was seriously injured.

Mr. Duncan said the men were lengthening a major access tunnel to a working area about 6pm when a dangerous gas – probably methane – ignited.

Part of the process of lengthening a tunnel was to drill long holes into virgin rock to check for pockets of gas or water, he said.

“They detected methane, the alert was given and the evacuation was in progress when the gas ignited.”

Asked if the miners had skirted safety procedures, he said. “Quite the contrary. We have no indication there was any deviation from procedure.”

President Thabo Mbeki said today he was shocked and saddened by the miners’ deaths.

He hoped no stone would be left unturned to determine the exact cause of the disaster.
No warning of gas leak before mine explosion

18 bodies pulled from 3km shaft

ELLIOTT SYLVESTER

The 18 miners killed after the explosion at the Mponeng Mine in Carletonville were given no warning of the imminent danger, even after a methane leak was discovered, leaving the men to walk into a blast that left many dismembered and identifiable only by fingerprints.

The blast, three kilometres underground, has left miners and bosses baffled. No one knows what ignited leaking methane or what happened during the 10 minutes between the detection of the leak and the fatal explosion. The drill operator, who discovered the leak about 5.30pm on Thursday, sent his assistant back to warn approaching miners but the message never reached them.

Why were no alarms sounded? What happened to the assistant? The National Union of Mineworkers' Archie Pihani posed these questions at a media briefing, saying the tragedy could possibly have been averted, but the assistant would have to be consulted.

The drill operator was killed in the blast while the assistant is recovering from his injuries.

Mine bosses said the explosion ripped through the 99 level, destroying all support structures in the tunnels that 40 miners were working in.

Shift boss Walter Mulovhedzi, who was one of the first people to venture down the nearly 3km deep shaft to the blast scene said: "There were pieces of bodies lying around. Hands and legs were ripped off and I couldn't see who was who because they were in pieces."

Mr Mulovhedzi recounted what the miners' final moments must have been like. Part of the process of lengthening a tunnel was to drill long holes into virgin rock to check for pockets of gas or water.

The drillers and his assistant were about 500m from the rest when they found the leak.

"Finding methane is a common thing because you always do a test for it when going down. Something must have caused an explosion before the assistant could warn the others. They were trapped between the explosion and the rock."

When Mr Mulovhedzi went down the shaft hours after the explosion, smoke and gas still filled the remainder of the shaft. The first bodies found were those of the men walking towards the driller. Those who survived the blast were crushed by falling rock or suffocated by gas and smoke.

Speaking from Mponeng mine, formerly Western Deep Levels South Mine, a spokesman for mine owners AngloGold, James Duncan, said no irregularities had been discovered and all safety precautions appeared to have been observed.

The disaster had taken place only a week after AngloGold had launched a major group safety campaign with the theme of "zero tolerance" of accidents.

Minister of Mineral and Energy Affairs Phumzile Mlambo-Ngcuka said a thorough investigation into the explosion would begin on Monday. An independent security company would be brought in to prevent any tampering with evidence.
UK dodging asbestos case

By CHIARA CARVER

The English High Court this week delivered a blow to the hopes of South African victims of asbestos-linked diseases that they might successfully sue in the country's courts.

High Court judge Mr Justice Buckley on Friday granted a stay of proceedings in a case brought by more than 2,000 South African victims against Cape PLC, a British-based company which was once the largest asbestos producer in the world.

Cape PLC pulled out of South Africa several years ago.

Victims have been engaged in a lengthy battle to have their claims heard in Britain where awards are usually higher than in South Africa.

This week, Buckley said the cases should be dealt with by the South African courts because of 'practical difficulties' in dealing with the claim in Britain.

Buckley also stayed claims brought by five initial claimants who last December were given the go-ahead by the House of Lords – the country's highest court – to sue in Britain.

The claimants were granted the right to appeal against Buckley's ruling and this hearing is likely to take place towards the end of this year.

Buckley said that as a 'matter of public policy' the English courts should not deal with claims that should and could have been lodged in South Africa. In support of this argument, he cited a US court decision not to hear claims by Inda's Bhopal disaster victims against Union Carbide.

Richard Meeran, the London-based lawyer for the claimants, said despite the ruling he remained optimistic about the chances of being allowed to proceed with the cases in England.

Meeran said commercial interests had prevailed over justice for the victims and that it was nothing less than gross underestimation of Buckley to have described conditions at the asbestos mines and plants as "sometimes very bad."

"A British company which goes to South Africa and relies on the system of apartheid to exploit black workers – including young children – should properly be held accountable in England," Meeran said.

Diseases associated with asbestos are slow to manifest. The worst-hit areas include Prieska, Kuruman and the Penke mine surrounds.
TEN days after launching what they claim to be the industry's most ambitious safety programme, Anglogold suffered the country's worst mining disaster since 1985.

Nineteen miners were killed instantly late on Thursday, torn apart by a massive methane explosion 2.7km underground at the company's Mponeng mine in Carletonville, Gauteng.

While a high-level investigation into the disaster begins tomorrow, the mine's management remained adamant that the correct procedures were being adhered to when the gas exploded.

This, said Anglogold spokesman James Duncan, was in keeping with the company's recently adopted policy of zero tolerance for accidents.

Even so, questions remain concerning the procedures followed between the time of the gas's discovery and the time of the 6pm blast.

Archie Phane of the National Union of Mineworkers has claimed that the explosion took place 10 minutes after the methane was detected. The union has also claimed that some miners were walking towards the gas-steeped work area when the blast occurred. "Why were the miners not warned about the methane in time?" it asked.

When the Sunday Times spoke to one of the survivors he certainly gave no indication of having been warned.

Molete Joseph Molapela, 29, of Fochville, a town near the mine, had been working in another tunnel in the vicinity of the blast. "I was coupling some pipes," he said, "and then I remember nothing – just the bang."

This was Mopala's second mining injury. Two years ago he lost his thumb in a work accident.

In Thursday's blast he was hit on the back of the head by flying debris, as was Tebogo Damane, 27, from Lesotho.

Both men were visited at the mine's hospital on Friday by a high-level delegation that included the Minister of Mineral and Energy Affairs, Phumzile Mlambo-Ngcuka; her Deputy Minister, Susan Shabangu; union officials and company executives.

Eighteen other survivors were brought to the surface by rescuers, who worked all night in the potentially dangerous disaster area. The operation ended yesterday morning with the discovery of the body of the only miner left unaccounted for.

Most of the 19 dead were migrant workers from Mozambique, Lesotho and Swaziland, which supply up to 40 percent of the workforce in South Africa's gold mines.

Mponeng, formerly Western Deep Levels South, and its sister mine, Savuka, 80km southwest of Johannesburg, are the world's deepest mines at 3700m.

The disaster came at a time when the industry was renewing efforts to improve worker safety. Mlambo-Ngcuka told reporters "One death is one too many, we are committed to improving safety standards to ensure that it never happens again."

When Anglogold launched its safety campaign recently, it did so on an emotive note: the names of 129 victims who had died in accidents at the company's mines since last year were scrolled on giant screens before employees.
Ancestors credited with saving miner from blast

By DOMINIC MAHLANGU

AN Anglo Gold Mponeng mine worker still cannot believe how he miraculously escaped death in an inferno sparked by a methane gas explosion which claimed the lives of his 19 "comrades" in the belly of the earth more than 2 km underground on Thursday.

Musa Mnyambo (30), a Swazi national who has been with the mine for nine years, could only attribute his luck to his "Amadlozi" (ancestors).

Trembling with shock, Mnyambo, a father of two, related how he went down with the 19 on their evening shift which started at 6 pm on Thursday.

He said on arrival at their workplace, more than 2,736 metres below surface, his headlamp did not come on.

"I remained near the shaft to try to get the torch to work when there was a sudden burst of cold air and then the explosion," he said.

The blast knocked him to the ground and he was buried under a heap of rubble that came crashing down on him.

"I managed to crawl on my belly not knowing where I was going until I lost consciousness. I don't know what happened, but I woke up when I heard the voice of my late father saying I should rise," he said.

Mnyambo said he staggered in the dark and saw a torch light shine in his face.

Mnyambo said he would slaughter a beast to thank his ancestors when he returned home.

When he was interviewed by City Press on Friday afternoon, Mnyambo said he had not been able to eat since the blast.

He was still in "a terrible shock".

All 19 of his colleagues died at the scene. He was the only survivor of the group. Two others who were working in another section of the mine were also caught in the blast and injured.

Anglo Gold spokesperson Alan Smith said Mnyambo was the first to be rescued. He was found confus- ed a short distance from the blast.

It is still not known how the methane gas ignited after it was detected.

The National Union of Mineworkers (NUM) said the disaster could have been prevented.

NUM vice president Senzeni Zokwana said reports received indicated that there was a breakdown in communication between the miners and their seniors.

The explosion is thought to have been ignited while workers were drilling to expand the shaft.

Zokwana said one of the workers was ordered to report to senior mine managers who were stationed far away from the drilling site that high levels of methane had been detected around the drilling hole.

"We are looking at possibilities of negligence on the part of senior mine workers," Zokwana said.

"If the gas was detected early, why was it that those men in front were not removed in time before the explosion?" asked Zokwana.

"Ancestors' saved miner"

From Page 1

"We must begin to ask questions as to why senior supervisors were not around the area where they were supposed to have been.

"Were our workers supposed to hold their positions until they were told to move even when they were faced with death?" asked Zokwana.

Minister of mineral and energy affairs Phumzile Mlambo Ngcuka visited the mine on Friday where she told mine managers that the department would investigate the incident.

North West Premier Popo Molefe sent a message of condolences to the bereaved families.

President Thabo Mbeki said he was shocked and saddened to learn of the miners' deaths and expressed his hope that no stone would be left unturned to determine the cause of the disaster.
Pall of death hangs over mine disaster survivors

By Mokgadi Pela and Mzwakhe Hlangani

A SOMBRE atmosphere has engulfed AngloGold’s Mponeng Mine after the deaths of 19 people and injuries to 20 others.

Workers at the mine said yesterday the accident, which happened on Thursday at 6pm near Carletonville, had sapped them of energy and the will to live.

At the same time, mine officials had started the grim task of identifying the deceased and informing their next of kin in places like Lesotho, Swaziland and the Transkei.

Even one of the heroes of the day, Mr Fredrick Thwala (37), who rescued two miners, from certain death, said “there’s nothing to celebrate as many of my colleagues have perished. My only consolation is that I managed to save two people, one of them, Musa Muyambo.

“Everything seemed to be going well when unexpectedly, I heard a loud bang followed by a cloud of smoke. When I heard two people screaming for help, I risked my life to rescue them,” Thwala said.

Another survivor, Mr Andile Dangelo (32), said while he was lucky to be alive, he was “immensely depressed for no one knows who is next”.

Addressing a media conference on Friday, AngloGold spokesman Mr James Duncan said the blast was believed to have been triggered off by a high presence of methane gas.

He said the alarm was raised when the substance was detected by a driller. A few minutes later, the blast occurred.

Workers said a memorial service would be held once the deceased had been identified and their next of kin informed.

Meanwhile, the Government has expressed concern at last week’s mine disaster and has once again raised the issue of safety at South African mines where more than a million mineworkers have been injured.

Labour Minister Membathisi Mdladlana said yesterday apart from victims of such disasters which brought the number of miners killed since the start of the year to 179, many thousands continued to die “slow deaths” through diseases such as silicosis, pneumoconiosis and asbestosis, while others were maimed for life due to avoidable injuries.
Cape may have to pay up R1bn

Ronnie Morris

Cape Town - The multimillion-rand damages action brought in the London High Court by South African victims of asbestos against asbestos producer Cape plc might reach R1 billion and involve 3,000 plaintiffs if the case was heard in South Africa, law firm Webber Wentzel Bowens (WWB) said yesterday.

Last Friday in London Justice Buckley granted Cape a stay of proceedings when he found that the cases ought to be dealt with in South African courts.

Buckley cited the practical difficulties involved in dealing with claims in the UK for his decision, saying an injustice would be caused to Cape.

The judge granted the claimants leave to appeal.

In a statement yesterday Nick Alp of WWB, Cape’s South African attorneys, said both he and Cape held the view that South Africa was the jurisdiction with which the litigation had its most substantial connection.

“This is a South African issue of national concern, which requires a South African solution.”

“South Africa is where the injuries were allegedly sustained, it is where the claimants and the witnesses reside, it is where the documentation is to be located, and indeed where the overwhelming majority of the evidence is to be found,” he said.

Alp said Cape’s subsidiaries were not the only ones involved in the asbestos industry in South Africa and the claimants’ alleged exposure might well have come from other sources.

A lawyer with Leigh, Day and Co, the London law firm that represents the claimants, said “It is immaterial that the injuries were sustained in South Africa.”

“The allegations of negligence are against the British company Cape was at all times a British company with all its assets in Britain and should now be held accountable for its actions in Britain without further delay.”

Cape owned huge asbestos mines and mills in the Northern Cape and Northern Province (then Lebowa), asbestos mines in the North West and Northern Province and factories or plants at Benoni.

In 1999 the London High Court granted Cape a stay of proceedings brought by the original five applicants, saying the case should be heard in South Africa.

The five, two of whom have since died, received British legal aid and took the matter to the court of appeal, which overturned the High Court decision.

The House of Lords subsequently refused Cape leave to appeal, clearing the way for a further 5,000 victims to institute claims.
Blaming the right people for mining accidents

Owners need to invest more in safety systems and training, writes Gawe Mantashe

Blaming the right people for mining accidents

Afters

Owners need to invest more in safety systems and training, writes Gawe Mantashe

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ME can only speculate why, days after the Bloomerg mine disaster, businesses have
not run an editorial (April 6) on mine health and safety that serves to justify the
mining industry's poor health and safety record.

Perhaps the mine owners had been hurt by a rather critical editorial in one of the Sunday newspapers and had whispered that Bloomerg may get a different line to the public and investors.

Since the same editorial page was cut out of the mine's owners Anglogold have stressed several things in their public comments.

The first was that shortly before the accident the mine had embarked on a major safety campaign.

The second was that there had been no inoperability in any of the mine's systems.

It is this second part that is crucial. In one of the emails, the reader is left to assume that the cause of the accident must have been human error. This in itself is a rather controversial word. In the Draknek case the commission's comments are worth repeating. However the recurring management issue in the papers seems to be that the systems were in place and the accidents (were) due to human error.

There are no moral limits for this excuse. The theoretical solutions are relatively obvious but difficult and slow to implement in practice. Management must engineer the systems so as to minimize the opportunity for human error and train all ranks of the workers to work in accordance with sound procedures.

This is not a people passage. It is central to the commission's recommendations for legislative change and is made concrete by the Mine Health and Safety Act's requirements that mine managers develop systems to analyze and control hazards.

The commission's recommendations have been geared by the industry to the major mining disasters in the country. They show that multiple fatality accidents, such as that at Armstrong occur after several mining and safety systems have failed.

While human error may have triggered some of these accidents, the proper operation of safety systems would have prevented at least standard conduct or ignored to it did not lead to fatality.

Mine spokesmen also have stressed that mine workers have influenced the Mine Health and Safety Act.

While there is no doubt that the act has shifted the balance between management and worker and helped usher in an era in which worker participation in health and safety is at long last taken seriously, the primary responsibility for operating mine safety remains with the owners.

Many mines have dramatically improved their health and safety systems but the historical backlog remains enormous. Yet in the wake of major accidents the old kneejerk reaction reappears. Correctly, this has been criticized by certain papers.

In contrast Business Day has produced an editorial (April 6) that is simplistic that it borders on cliché.

This is particularly disappointing as the paper has in the past been one of the few that has given serious scrutiny to mining health and safety.

Mantashe as general secretary of the National Union of Mineworkers
Another tragedy as miners mourn

Sapa and Sowetan Reporter

ON the day of a memorial service for the 19 miners killed in the methane gas explosion at Mponeng Mine, three more miners died and five were injured – this time after an earth tremor at Driefontein Gold Mine on the far West Rand.

As mourners listened to National Union of Mineworkers (NUM) president Mr James Mollatsi call for better safety training, AngloGold spokesman Mr Willie Jacobz confirmed that the three died when the tremor loosened surrounding rock and ground at the number four shaft.

Two of the injured were serious, Jacobz said.

Mollatsi yesterday questioned the training provided to Mponeng miners, saying if they had been trained properly, the explosion on July 29 would not have claimed 19 lives.

Grief at the mine, formerly known as Western Deep Levels, was compounded days later when another miner was killed in a rockfall.

Mollatsi said miners' health and safety was the responsibility of management, and Mponeng management should not try to run away from what had happened. Since 1992 NUM had been calling for better and more effective safety measures.

"I want to point out that in 1993 when I and the then NUM general secretary Cyril Ramaphosa were going to KwaZulu-Natal after a mine disaster there, he said to me that in this country black miners in particular are dying like flies and being buried like dogs, and that something had to be done."

Mollatsi urged miners not to go underground when they thought it might be unsafe.

About 2 000 people, some from Mozambique, Lesotho and Transkei, attended the service.

A specialist team is investigating the cause of the explosion.

Minerals and Energy Deputy Minister Susan Shabangu visited the site of the rockfall yesterday to make an assessment of the situation and to visit the injured miners.

The ministry extended its condolences to the families that lost their loved ones.
SOUTH AFRICA
CT 12/3 1999
3 miners die, 5 hurt
in W Rand tremor

On the day of a memorial service for 19 miners killed in the methane explosion at Mponeng mine last month, it was revealed that three more miners died and five were injured after an earth tremor at the Driefontein mine on the West Rand.

As mourners listened to National Union of Mineworkers president James Motlatu call for better safety training yesterday, Anglogold spokesperson Willie Jacobsz confirmed that the three had died, when a tremor loosened surrounding rock at Driefontein's number four shaft. He did not say when the accident had occurred.

Motlatu said that if the Mponeng miners had been trained properly, the explosion on July 29 would not have claimed 19 lives.
British MP backs asbestosis victims

Cape Town - Cape plc, the UK mining and industrial company, which was involved in asbestos operations in South Africa, has been ordered to pay compensation to the families of workers who were exposed to asbestos.

The case, which was heard in the Cape High Court, involved 30 cases of asbestosis and mesothelioma, a deadly lung disease caused by asbestos exposure. The court ruled that Cape plc was liable for the injuries caused by its operations in South Africa.

The decision was welcomed by the families of the affected workers, who had been fighting for justice for decades. They said the compensation would provide some closure and recognition of the suffering they had endured.

Amplats signs zero tolerance health and safety agreement

Johannesburg - Amplats, the world's largest platinum producer, has signed a zero tolerance health and safety agreement with its unions and the government.

Barry Dive, the company's chief executive, said the agreement was a significant step forward in ensuring the safety of workers in the mining industry.

The agreement includes provisions for improved training and education, better equipment, and better monitoring of accidents and injuries.

The union representatives welcomed the agreement, saying it was a positive step towards improving working conditions.

Graham Dobson, the Amplats group manager of safety, said the company would implement the new policies immediately to ensure the safety and health of all workers.
Mine workers exposed to excessive radiation

While many areas were fine, some were above annual limits

LARGE numbers of workers in underground mines surveyed by the Council for Nuclear Safety were getting radiation doses over the annual limits, the CNS said in a report tabled in Parliament yesterday.

The CNS viewed this very seriously, and had pressured mining companies to improve conditions, executive officer Bert Winkler said in the CNS's report for 1997/98.

Representatives of these workers were also being consulted.

Winkler said the findings were made during a CNS survey.

"These assessments revealed that exposure levels were acceptable in many areas, but also identified a number of areas where large numbers of workers were receiving radiation doses in excess of the annual limits," he said.

Radiation hazards to workers in surface operations were "generally under adequate control".

Management of radioactive waste from the mining and minerals processing industries remained less than satisfactory, particularly the longer-term management of waste and control over contaminated scrap metal.

Little progress had been made in rehabilitating off-mine sites contaminated through inadequate control, and this was largely because there was no national waste management policy.

Winkler also said there had been seepage of radioactive waste from "packages" at the Vaalputs repository in the Northern Cape.

Waste management disposal adopted by Eskom for the Koeberg nuclear power station near Cape Town involved long periods between shipments to Vaalputs.

This meant waste packages in disposal trenches stayed uncovered and exposed to weather for long periods, which caused "some degradation of package integrity."

This resulted in "contamination" seeping to the surface of some of these packages.

"No contamination has been released to the environment and no radiation hazards to workers or the public have arisen," said Winkler.

"Measures have been put in place to rectify the situation and to prevent recurrence."

He said although safety standards at Koeberg were high, a few incidents raised concerns.

He said the incidents apparently arose from pressures to bring about "improved economic operation" at Koeberg.

Although the incidents involved deviations from procedure, they did not have serious radiological consequences for workers, and no effect on nuclear safety.

Winkler said a major two-year safety review at Koeberg had continued throughout the year.

All design and operation aspects contributing to safety were being thoroughly evaluated and compared to internationally recognised standards.

The project was well advanced and although areas had been identified for improvements, no major safety concerns had been raised.

When completed, the review should provide assurance the station was safe and operations could continue, Winkler said. — Sapa
Mines force inspector to stop issuing fines

JONATHAN ROSENTHAL

Johannesburg – Dick Balcker, the chief inspector of mines, said this week he had been forced to suspend the issuing of fines against mines that contravened health and safety regulations because of numerous appeals to the labour court by mines.

Several cases were now before the court and he was waiting for a procedure to be set on the legality of the fines.

The system of administrative fines was introduced about a year ago as a quick and easy tool to prod mines into tightening their adherence to the regulations.

The new system, agreed by labour and employers, was the result of compromise talks over a reversal of the burden of proof contained in the new mine health and safety legislation.

This change could have forced employers to prove they were not responsible for accidents. In exchange for holding back on those sections of the law, all parties agreed to implement a non-criminal system of fines.

The idea was to keep it out of the hands of the lawyers and courts,” Balcker said. “The administrative fine is a tool to compel employers at the highest level.”

But he said since its introduction mining houses had refused to pay fines and had forced the issue back into the courts.

“Instead of being a quick and easy way of disciplining employers, it’s becoming a legal nightmare,” Balcker said.

He said 90 percent of fines were withdrawn if employers rectified their violation. The inspectorate had only pushed ahead with fines in 30 cases. Of those fines, worth about R750,000, less than R100,000 had been paid. The rest were subject to appeal.

One appeal case was brought by a coal mine which had been cited for 45 contraventions of the regulations, “each one of which threatened the safety and health of a large number of employees”.

The mine had shown disregard for all safety measures, but rather than rectifying the problems it had appealed against the fines.

In another case a chief ventilation officer had approached the inspectorate after the mine’s management repeatedly ignored his reports of heatstroke conditions in parts of the mine. This case was also taken on appeal.

Balcker emphasised that several mining houses were co-operating with the inspectorate.
Parties agree on radiation levels

Cape Town — The National Union of Mineworkers (NUM) and the Chamber of Mines have reached agreement on the regulation of radiation levels at mines, opening the way for Parliament to adopt the National Nuclear Regulator Bill.

Minerals and Energy deputy director-general Sunita Mokoena told Parliament's committee on minerals and energy yesterday that in terms of the agreement, the regulating authority to be created would also monitor radiation levels in the mines.

The original draft of the bill excluded the mines from the jurisdiction of the authority, leading to fears by NUM that it would result in lower standards of radiation protection. Suggested the inspectorate has not effectively dealt with the problem of dust on the mines.

Mokoena said the department agreed in principle with the amendments and would present them to the state law advisors for incorporation into the bill. Still to be resolved was the independence of the regulator.

Bb 719/99
Briefing the committee on progress made in cleaning up and making safe the dozens of asbestos mines and dumps scattered across the country’s northern provinces, Dube reminded the committee that some of South Africa’s neighbours still mined and exported asbestos.

Asbestos mining in South Africa would come to an end later this year when the last operating mine, at Msauli in Mpumalanga, exhausted its deposit, he said.

But local manufacturers still imported about 2,000 tons of white chrysotile a year, most of it from Zimbabwe.

Dube said: “The approach has to take everything into account, including the economic factors. It is a consideration and one must be aware of these facts.”

The final decision rested with the minister, he said.

The total rehabilitation costs for Mpumalanga, the Northern Cape and Northern Province were estimated at more than R56 million. To date, the process had cost the government R35.5 million, Dube said.

Rehabilitation involved “encapsulating” the exposed asbestos with a layer of top soil, planting indigenous plants and trees, and fencing the site to stop access.

This process was “essentially cosmetic” and not in line with the policy of restoring the land to its original state.

The department planned to re-examine this issue with a view to improving rehabilitation techniques.

Dube said the department’s law reform process needed to be accelerated to address the recommendations made at the national asbestos summit which was held in Johannesburg in November last year.
Judge pulls out of asbestososis appeal

CIT (PA) 10/99

RONNIE MORRIS

Cape Town—Proceedings in the London Court of Appeal against a London High Court judge’s decision to grant Cape plc a stay of proceedings in a multillion-pound damages action were delayed when the senior judge recused himself yesterday.

Lord Justice Beldham, who would have led the three-judge appeal panel, withdrew when he cited a family connection with asbestos business.

A new judge was found and proceedings would resume this morning and continue till Friday.

The action against Cape has been brought by more than 2,000 South African asbestos victims who claim they have suffered personal injuries or damages as a result of Cape’s negligence or breach of duty in supervising, controlling, extracting, producing, processing or distributing asbestos and related products.

The company operated asbestos mines in Prieska and Koegas in the Northern Cape, Pomfret in the North West, and Pongola in the Northern Province, and had factories or plants in Gauteng and elsewhere from 1930.

Cape disinvested from South Africa in 1978, leaving thousands of asbestos victims penniless and uninsured. The South African government is now rehabilitating contaminated and abandoned mines and asbestos dumps because of health hazards.

In 1997 five South African asbestos victims instituted claims against Cape in the London High Court. The company fought the action and in January last year the London High Court granted Cape a stay of proceedings on the grounds that the case could be heard in South Africa.

The Court of Appeal, however, reversed the decision and ruled that the five—two of whom have subsequently died—could sue the company in Britain.

The House of Lords subsequently refused the company leave to appeal against the Court of Appeal ruling, paving the way for a further 2,000 claimants to sue the company.

On July 30 this year the London High Court again granted Cape a stay of proceedings on the grounds that the case ought to be dealt with in South African courts and that an injustice would be caused to Cape.

The court, however, granted the claimants leave to appeal, which will now be heard this week.
DANGER lurks in the water for thousands on mines

Thousands of mine workers have been exposed to dangerously high levels of radiation in drinking water, a new report reveals. Uranium and other radioactive elements found in gold mines have found their way into water supplies used by mine workers, according to a study conducted by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and the Australian Medical Association (AMA). The study found that workers at several mines were exposed to radiation levels that exceeded safety limits.

"It is widely known that employees drink liters of contaminated water daily," the report states. "It is necessary to identify the sources of contamination and implement corrective measures to ensure the safety of workers and the public."

The report also found that the maximum concentration of radioactive activity in drinking water, which is used for drinking water, could be as high as 100 becquerels per liter. The recommended maximum concentration for drinking water is 10 becquerels per liter.

The report recommends that all mine workers be provided with a water filtration system to reduce the risk of exposure to radioactive elements. It also recommends that all mine workers be provided with a detailed health monitoring program to detect any early signs of radiation-related health effects.

Two other studies conducted in the industry in recent years have also found high levels of radiation in mine water supplies. One study conducted by the Australian Medical Association in 2010 found that workers at several mines were exposed to radiation levels that exceeded safety limits.

The report concludes that "the findings of this study highlight the need for a comprehensive approach to the management of radiation in mine water supplies. It is urgent that all mine operators take immediate action to ensure the safety of workers and the public."
THIRSTY WORK UNDERGROUND
Miners at the red as in the African Rainbow Minerals mine at Orby

Andrew McManus, the former chief water technologist at Gold Fields, said he had presented management with several proposals to deal with the mine at De Beers. The chiefest of these would have been to treat a very hot but more toxic chemical in the service water to discourage people from drinking it. "We proposed that the water be treated to discourage people from drinking it but nothing ever came of it. It was very economical and would have cost something like R1.50 per day to treat the mine's water," he said.

McManus believes the mine was unable to implement this as it could have avoided an angry response from workers, who could then have demanded cooler drinking water or reduced productivity if workers had to carry their workstations to find drinking water. A further concern was that workers could then drink less water and suffer an increased incidence of heatstroke, a separable issue.

Another proposal that was implemented at De Beers was to treat the water with lime which caused the uranium to drop out of the water as a sludge and resulted in a significant reduction in uranium levels. This treatment was unsuccessful in reducing levels of radium, he said.

A 1990 report prepared by West Driefontein in terms of its radiation licence conditions that department of water affairs guidelines for uranium and radon content for water leaving the mine were frequently exceeded.

Some of the higher levels were found in water being pumped to Western Deep Levels on Angloplatin mining. The radium levels in the water that is pumped to Western Deep Levels is currently above the criteria for drinking.

Nothing is being done to prevent workers from drinking the service water.
S

Several scientists involved in a two-year government study into the release of radiation in water supplies in the Carls ответившему Github на этом вопросе. Это сделал волонтер, работающий над проектом, который помогает пользователям решать задачи изучения английского языка. Однако, стоит отметить, что машинный переводчик не всегда может полностью воссоздать контекст или интонацию текста из-за ограничений, связанных с алгоритмами машинного обучения и непределенности естественного языка.
Where has the danger gone?  

Elize Knoesen, the head of the CNS monitoring programme, said "there is no radiation in the dam, that's what the samples taken when the last spillage of the mine had not been tested.

When asked how he knew there was no radiation in the water, Knoesen said "it was clear that there could not be radiation in the water if it's a return water"

Filil Nkxalala, a CNS spokesperson, said previous measurements had shown that the dam was clean.

But this statement is in direct conflict with several previous staff.

Confidential sources indicate that the CNS manager in question was asked by the Atomic Energy Corporation (AEC) on behalf of the CNS to re-test the dam water and found that it was clear of any radiation.

At the time, the mine management issued a memo warning people that the water was clean and safe to drink.

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An investigation by the Department of Water Affairs and Forestry in 1998 found that there were still high levels of radiation in the dam.

It found uranium concentrations of up to 100 mg/l (micrograms per litre), which is five times the limit for drinking water and radium concentrations of 0.5 Bq/l of water (measures of radioactivity) in water.

On a visit to the mine on August 18 this year, Business Report found that there was no evidence of radiation in the dam or the water from the dam.

The particular danger of drinking this type of water is that radiation builds up in the body at a rate of up to 100 times higher than the surrounding areas through a process known as "concentration of the radioactive elements.

If a person takes the fish, they say, "it tastes fine, we eat them daily."

Another he said he had heard of a radiation scare but that "there is no problem here, there are no people in the area."

Council discovers high dose of radiation in mines  

JOHANNESBURG - The Council for Nuclear Safety (CNS) estimates that between 10000 miners, or roughly one in six workers, have been exposed to radiation levels that exceeded safety limits.

Radioactivity, even at relatively low doses, can lead to long-term cancer and other occupational diseases.

In 2003, according to CNS data, 10000 employees at Harmony Gold mine were exposed to radiation levels that in some instances were three times higher than the annual dose limit of 250 mSv per year.

At Nkangala, workers were exposed to doses levels of 330 mSv a year, or seven times higher than the allowable limit.

These are the safety violations that have been officially recorded since nuclear regulation was introduced in 1998. However, a six-month compliance study by Business Report has uncovered a frightening legacy of nuclear safety violations over the past 15 years that could vastly increase the number of mine workers and members of the public who have been exposed to dangerous levels of radiation.

Mining companies and the Chamber of Mines say there is no problem, but the evidence clearly shows that the problem is far worse than they admit.

The problem is now widespread, and the CNS figures overstate the extent of the problem and misses the marks more than the number of workers who are actually exposed to doses that exceed the levels.

**Council discovers high dose of radiation in miners**

**Business Report**

The Council for Nuclear Safety (CNS), the radiation watchdog body, raised new questions about its integrity by claiming that there was no radiation in the Delkor laser recirculation dam, in spite of a mass of data to the contrary.

The Delkor laser dam, around which the Delkor laser village is built and alongside which red dots play and fish, is one of the sites monitored by the CNS. More than 16 years ago, studies conducted by CNS officials found that the dam contained radioactive levels that were too dangerous to drink or to swim in and the fish too dangerous to eat.

Several studies over the intervening years found again and again that radiation levels in the dam were cause for concern. So much so, that in 1994, the Department of Water Affairs and Forestry issued a news release warning people not to drink the water consumed in the dam. Yet when the CNS was asked for further information on the dam and several occasions over the past five months, it denied that there was or ever had been any radiation in the Delkor laser dam.

On March 29 this year, a CNS inspector visited the mine with Business Report. People were seen fishing in the dam, and the CNS inspector took water samples later that day.

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**Business Report**
POLITICS

UK may fund SA miners’ litigation

By Waghid Misbach
Political Correspondent

There is renewed hope for thousands of cancer-stricken asbestos miners from the Northern Cape and North West to get sorely-needed funding for their compensation battle against the British-based companies that owned and operated the mines in South Africa.

The 2 000 people currently suing London-based Cape plc, the asbestos-manufacturing company, were recently refused further funding from the cash-strapped Legal Aid Board (LAB) — the state-funded body meant to help needy litigants.

LAB chief executive Peter Brits told Sowetan yesterday that there was a “good possibility” that the miners would get funding from the Welsh and English Legal Aid Boards, if they succeed in their bid to get the case heard in a British court.

The miners are currently fighting to have the case heard in London because, they argue, they cannot claim from the company in South Africa, because all its subsidiaries have been closed down. If the case is held in the UK, it will also make it easier for the miners to get the UK taxpayer to cover some of the costs.

It also looks increasingly likely that some of the costs could be borne by local lawyers, who have already indicated their willingness to work on a contingency basis.

Lawyers that agree to work on this basis would only be paid once the case is won.

The miners would probably need millions of rands to pursue their case, because a further 1 000 miners and their families are reportedly expected to join the compensation battle against Cape plc.

Last week, Justice Minister Penuel Maduna cut the miners’ funding by announcing that the LAB would no longer fund personal injury cases and various other civil cases, such as divorces.

Although the LAB only recently started funding the case, other personal injury cases undertaken by the LAB — largely motor-vehicle accident claims — have cost tens of millions, pushing the body into the red to the tune of about R600 million.

If the LAB had continued paying lawyers for personal-injury and other cases, the LAB’s debt would increase by R150 million this year.

From November, the LAB will no longer take on these cases.

Maduna said no other funding body had been a “painful decision” but the LAB’s funding, but that had to be done to save the only body that could provide some form of legal support to those who need it most.

Maduna has proposed setting up judicial centres around the country that would help needy people, particularly rural people. A pilot centre is now operating in Kimberley to test whether the system is sustainable.
Gold mining has bequeathed us radiation

The long-term movement of radioactivity from slimes dams to inhabited areas remains unresolved, writes Jonathan Rosenthal in these special reports.

A third pathway for radiation into the general environment is through the use of tailings as a mixer with cement for soil fill, cement block bricks or morter. The potential danger is that the structures built with this material are poorly ventilated, radon gas can reach dangerous levels.

Aerial mapping of dumps and tailings dams in the Carletonville area, prepared by the Council for Geoscience shows elevated levels of radiation in inhabited areas around the dumps.

Ifraf der Heyde said the key issue was the use of mine tailings as a construction material. "Sand containing radon has been used as a mix for cement in houses. People could be exposed to elevated levels of radon, which build up in a contained area."

Case studies in other countries faced with a problem of radioactive sludge, slimes dams only indicate that tracing the problem could be vastly expensive. A study conducted for the German ministry of finance in 1993 indicated that sludge had to be treated as an industrial waste.

The US uranium mining area in the Carletonville district is estimated to have produced 4.8 billion curies of radium. The total activity of radium is equal to 130 times the annual intake of radium through food, water and air.

An international team of experts, led by the US Department of Energy has been sent to the US to study the problem. The team will be working with local authorities to implement remedial action and to monitor the situation.

Public health assessments at both mines found the levels to which nearby communities were exposed remained within the limit set for a single activity dose of 20 mSv a year. The possibility of the long-term movement of radioactivity from slimes dams to inhabited areas remains a danger that has not been entirely resolved.

Garth Nell, manager of Ditsongxol, and John Armit, an environmental consultant at Anglogold said tailings dams built by both groups were designed to contain the run-off of water from the dams as well as limit wind erosion. Modern tailings dams have sophisticated drainage systems to control the movement of water and contain any run-off. Many are now covered with vegetation to stabilise the tailings and prevent them from wind erosion.

The dams will have to be constantly monitored to prevent the failure of these systems for a higher dose and greater exposure of no more than 5 mSv a year.
Exposure guidelines leave room for error

Radiation exposure can have various effects on the human body. Above a certain threshold, it can cause cellular damage, leading to a risk of cancer. This risk increases with higher doses of radiation. Experts recommend that the maximum dose for the general public should not exceed 1 mSv per year.

At an international seminar in Vienna in 1986, Wyner said the mean effective dose to which miners were exposed was 2.6 mSv per year, with only a small number exposed to doses between 10 and 50 mSv.

The industry, however, argued that a dose of 10 mSv in a single year should be allowed, but this was not accepted.

A study conducted by the department of water affairs and forestry and released in July recommended that a dose of 1 mSv per year is acceptable in drinking water for short-term use. For long-term use, it recommended a limit of 0.25 mSv per year. The reduction of radiation levels in drinking water significantly decreases the risk to human health.

The use of radiation in industries involving uranium, thorium, and plutonium poses significant risks. Radiation exposure can cause damage to the body, leading to cancer and other health issues. The exposure guidelines must be strictly followed to minimize these risks.
HOUSE OF LORDS TO DECIDE

Asbestosis victims in limbo

FORMER SA asbestos mining and processing workers — who contracted asbestosis owing to their work — are still no closer to getting compensation for their afflictions.

A PANEL of five British Appeal Court judges rejected an application by almost 2,000 South African claimants on Friday, for leave to appeal against a London High Court judge’s ruling last month, that South African courts were the appropriate forum to sue Cape Plc for damages amounting to millions of pounds.

The asbestosis victims claim they have suffered personal injuries or damages as a result of Cape Plc’s negligence or breach of duty in supervising, controlling, extracting, producing, processing or distributing asbestos and related products.

Once the court gives reasons for the rejection, an application for leave to appeal may be brought before the House of Lords, said Richard Meenan, an attorney for the claimants.

The victims’ lawyers fear that, with the admission by South Africa that the Legal Aid Board’s finances are in a critical state, they would not get justice in South African courts.

Cape Plc, once the world’s largest asbestos suppliers and major player in the SA asbestos mining industry from the turn of the century, owned huge asbestos mines and mills in the Northern Cape, Northern province and North West province, and factories in Gauteng, from 1930.

In Durban, where the company operated a mill for 34 years, 13% of deaths are attributed to mesothelioma, a very painful asbestos-related cancer. Asbestos levels within this mill were recorded in 1948 as almost 30 times higher than the maximum permissible UK limit.

After the Western world realised the dangers of asbestos, the market dried up and Cape Plc sold out in 1979, leaving thousands of asbestosis victims penniless and uninsured.

Contaminated and abandoned mines and asbestos dumps are now being rehabilitated by the South African government because of the health hazards they pose.

In 1997, five South African asbestosis victims instituted claims against Cape Plc in the London High Court. The company defended the action and in January last year the court granted Cape Plc a stay of proceedings on the ground that the case could be heard in South Africa.

The Court of Appeal, however, overturned the decision and ruled that the five claimants — two of whom have subsequently died — could sue the company in England.

The House of Lords subsequently refused the company leave to appeal against the Court of Appeal ruling. That cleared the way for an initial £700,000 South African victims to sue Cape Plc in the London High Court.

On July 30 the London High Court again granted Cape Plc a stay of proceedings on the ground that the case ought to be dealt with in South Africa and that an injustice would be dealt to Cape Plc, should the case be heard in Britain.

The court, however, granted the claimants leave to appeal, which was heard last week, and refused — Staff Writer
Mine accidents this year total 4 466

Linda Ensor and Simphiwe Xako

CAPE TOWN — There had been 4 466 mine accidents this year in which 247 miners were killed, Minerals and Energy Minister Phumzle Mlambo-Ngcuka said in a written reply to a question in Parliament yesterday.

At 1 804 accidents, most were caused by failure to comply with recognised good practice, standards or procedures. 806 by lack of caution or alertness and 679 because of inadequate examinations, inspections or tests.

National Union of Mineworkers (NUM) spokesman George Molebatsi said the figures were "horrifying" and should be a cause for great concern.

Molebatsi said the fact that management and mining unions signed an agreement on the issue earlier this year showed commitment to safety.

However, despite the Mining Health and Safety Act, the absence of safety inspectors on mines would always make miners susceptible to accidents. The implementation of the act was "hamstrung", Molebatsi said.

"Technological changes in production methods have not been in keeping with safety methods," he said. "If you take the recent Mponeng mining disaster, a team of miners was on an assignment to detect the build up of methane gas. Before they could clear the area the substance exploded."

Another problem, says Molebatsi, is that subcontractors are driven by quotas, which puts production over safety.

Chamber of Mines communications adviser Peter Bunkall said the act stipulated clearly that miners had to use their own discretion. They should refuse to work in any environment they deemed dangerous, he said.
A glowing account of radiation in the mines

Mining industry thinks Council for Nuclear Safety has exaggerated levels of exposure faced by underground workers, writes Denis Wymer

MINING is known about the risks of exposure to radiation than about those of practically any other physical or chemical agent in our environment. Yet people are worried about radiation.

They are not convinced that radiation risks are adequately controlled and many believe that certain doses of radiation, such as repeated power generation, should be banned outright.

These same people, however, happily accept the use of radiation for X-rays and radiotherapy.

Radioactivity is a part of our earth and has existed for as long as life on earth has been radiative.

There are radioactive gases in the air we breathe. Our own bodies — including bones and tissue — contain radioactive material.

There are radioactive materials in nuclear installations such as those occurring recently in Japan. We know from studying health records of people exposed to high doses of radiation that some health effects do not appear unless a large dose is absorbed by the body over a short time.

With low doses of radiation, damage to cells in the body is repaired readily and effectively, so there is still considerable uncertainty about the overall health effects.

There is even stronger evidence suggesting that low doses of radiation may prove beneficial by stimulating the body's immune system.

There are thousands of substances in everyday life besides radiation that can cause cancer. For example, tobacco smoke, ultraviolet light, asbestos, some chemical dyestuffs in food and viruses.

What is a radiation dose? It is basically a measure of the risk of biological harm and is usually expressed in millirems (mrem).

One year of exposure to natural background radiation normally does not add up to a dose of about 2.6 rem, although depending on where you live this could be up to 10 times higher. One chest X-ray will give rise to a dose of about 0.3 rem, while X-rays on other organs may result in doses as high as 3 rem.

At the other extreme, some accidents in nuclear installations such as the one occurring recently in Japan could deliver almost instantaneously a dose of several thousand mrem to a worker at the scene, which will normally result in death within several weeks, or even months, if not killed on the spot. Accidents like this are rare and can happen only in nuclear installations.

Mining is one activity that involves exposure to natural radiation. The radioactive elements uranium and thorium are present throughout the earth's crust in concentrations of typically four parts per million (ppm), while modern uranium mines exploit ores with uranium concentrations of 30,000 to 200,000 ppm.

SA gold reefs have, by comparison, very moderate uranium levels ranging from 10 to 500 ppm.

Of particular importance is radon gas, a radioactive decay product of uranium which, when inhaled, can deposit radiotoxicity on lung tissue and lead to a risk of lung cancer. World standards require that the maximum dose received by a worker must not exceed 100 mrem in five years.

For radon, because of large variations and natural worker movement, the usual "spot" measurements conducted in mines are a more reliable indicator of the maximum five-year dose received by workers, and lead to substantial overestimation.

The mining industry believes that the Council for Nuclear Safety has exaggerated the situation when it says, on the basis of spot measurements, that large numbers of underground workers are exceeding the dose limit.

Spot measurement surveys have nevertheless identified certain problem areas which, although involving probably less than 1% of the labour force, are supplied by the mining industry as a public service.

It is made to reducing radon levels in these particular workplaces.

Considering that the relatively minor exposure from the inhalation of ore dust and direct electromagnetic radiation from the rock, it was estimated from a 1989 survey of 21 gold mines that the average radiation dose to underground workers was 2.6 mrem per year. This is less than 2% of the worldwide average of 600 mrem for monitored workers in similar types of mines as quoted by the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR). The average radiation dose to underground workers was 2.6 mrem per year. This is less than 2% of the worldwide average of 600 mrem for monitored workers in similar types of mines as quoted by the United Nations Scientific Committee on the Effects of Atomic Radiation.

Radiation exposure in the public through radon gas in dust particles is less than 0.05 mrem per year. This is less than 2% of the worldwide average of 600 mrem for monitored workers in similar types of mines as quoted by the United Nations Scientific Committee on the Effects of Atomic Radiation.

CWymer is assistant technology director at the Chamber of Mines.
The battle to beat the big guy

The legal claims of 3,000 South Africans against a UK-based asbestos company are spotlighting the issue of multinational companies' accountability for activities in developing countries, writes Richard Meenan.

The United Kingdom Court of Appeal has acceded to Cape Public Limited's request to dismiss a company to a billion claim of 100 South African asbestos victims of the mining milling and manufacturing operations of English company Cape. Although the court gave an immediate decision, motions have not yet been given, but it is safe to assume that the claimants will pursue an appeal in the UK's highest court, the House of Lords. The outcome of the dispute about the nature of the case is of enormous significance to the question of multinational accountability for activities in developing countries.

So far the legal dispute in the Cape case has revolved exclusively around the issue of the preparation of evidence in English or South Africa. The United States court was also granted access and was present in the case. It is important to emphasize the distinction between the juridical question, as opposed to the merits, the latter concern has been raised in the Cape case in its home base and Cape's resistance to that jurisdiction is a staggering one. As Ericsson was that Cape is not and has always been an English based company. As a matter of legal principle it is now time to move to that question.

The principle are to benefit defendants who should be more than ready to challenge justice from their home court. Under the Brussels Convention, to which all European Union countries are party, it is mandatory to use a defendant in the court of the state where it is based. This is why the reason why Cape is unable to hold the claims brought in England by the group of victims employed at the United Kingdom factory.

Cape's stance here is to be contrasted with its response to claims brought in Texas by United States asbestos victims of its products. Cape refused to answer the claims in Texas and although an initial judgment was given the UK Court of Appeal refused to enforce it. In that instance it did not pursue the case in the US.

The legal approach in these cases is essentially to make the parent company responsible for injuries which can be traced back to the operations of its South African subsidiaries (which for practical purposes are defenseless enterprises).

However, US and European multinational companies operating in developing countries have consistently been permitted to assist liability to victims by hiding behind worthless local subsidiaries. The US courts have dismissed many cases, for example those by the Black victims against United Carbide and by leuko workers from Latin America, the Caribbean, Congo, and Zimbabwe. The Black farmers who had been murdered in South Africa on the basis of their race, were abandoned. Let us count the South African companies that have not attempted to seek compensation from Cape for the victims on the rehabilitation of the mines, mills and dumps which were abandoned by Cape leaving a massive and life-threatening hazard for neighbouring communities.

Deadly legacy. It is nothing to the South African government has not sought reimbursement from Cape for the millions of pounds spent on the rehabilitation of the mines, mills and dumps which were abandoned by the company, leaving a continuing and life-threatening hazard for neighbouring communities.

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Two trapped miners die

Two of the three miners trapped by a rockfall at AngloGold's Bambanani Mine near Welkom in the Free State were confirmed dead late yesterday afternoon.

AngloGold spokesman James Duncan said the one miner who was reburied after a fresh rockfall yesterday afternoon, was confirmed dead by 4:30pm.

Rescue workers risked their lives to free a second miner trapped nearby, only to find that he too was dead.

"The prognosis for the third miner does not look good," Duncan said.

"There have been two rockfalls since lunchtime yesterday and the miners in the first team trying to recover the two bodies and rescue the third miner are real heroes, risking their lives," Duncan said.

The three miners were trapped 1400m underground after a rockfall caused by a seismic event at the mine at about 8:25am on Saturday morning.

Earlier yesterday rescuers had managed to partially uncover the first miner, who was using his knowledge of the area to help rescuers free him.

Unfortunately he was killed in a renewed rockfall around 3pm.

The third miner is thought to be further down the tunnel.

Duncan said that when rescuers reached the first miner, he told them that the three of them had talked till the arrival of rescue teams who found the trapped miners shortly after the seismic event.

On Saturday evening mine officials left for Lesotho to find the families of two of the miners, while the third comes from Mozambique. Their names will not be released until their families have been notified.

The rockfall was the third at an AngloGold mine in a month.

The National Union of Mineworkers yesterday said it would call for an enquiry into the safety measures and standards of AngloGold Mines.

Network Radio News quoted NUM spokesman Gwede Mantashe as saying the safety standards at the mines could be improved.

He said the union would be calling for an inquiry because it felt that the safety standards were suspect.
ASBESTOS VICTIMS

The bitter battle for justice is drawn out

RONNIE MORRIS

The law cannot be distinguished from justice and morality without beginning at least to degenerate (it must be seen) to a reaper that an important in the life of the humblest citizen in search of protection against injustice.

These words spoken by Chief Justice Verwoerd in his lecture at the Unionist Memorial lecture at the old House of Assembly on 30 December last year, are still valid. Today we need to talk about the future of South Africa and about the serious case of 200 South African workers who are seeking justice in a British court against the company that is one of the world's largest asbestos mining companies.

These claims are related to claims made by asbestos miners and their families for seeking compensation against the company. The claimants are residents of the Western Cape and the claimants have been injured and lost loved ones.

From an original number of 2000, the number has grown to almost 3000 of whom 400 are dependent on persons who have already died. South African law does not permit the latter to sue on behalf of the half of an estate because claims cannot pass to next of kin.

The claimants allege that they have suffered personal injuries or death due to the negligence of Cape Asbestos or a group of companies that operated in South Africa.

The company has admitted liability and offered compensation, but the claimants have rejected the offer and are seeking damages in a British court.

The court proceedings have been ongoing for several years, and the case is still pending.

The claimants are represented by lawyers who have argued that the company should be held accountable for the injuries caused.

The court has ruled in favor of the claimants, and the company has been ordered to pay damages.

The case is significant as it sets a precedent for similar cases and may influence future rulings.

MINISTER AND ANGLOGOLD TO DISCUSS SAFETY

Johannesburg - Phumzile Mlambo-Ngcuka, the minister of minerals and energy, yesterday announced that Anglogold Ashanti, the world's largest mining company, will discuss the impact of mining accidents.

The request for a meeting was made after two miners were killed in an accident, and a third was seriously injured.

Mlambo-Ngcuka said that the government is concerned about the industry's efforts to improve safety.

Anglogold Ashanti said that they will conduct an independent investigation.

The company has faced criticism for its safety record in the past, and the government is determined to ensure that safety standards are met.

The meeting is expected to take place this week, and the results of the investigation will be made public shortly.
PROTESTERS MAKE DISCOVERY

Graves found near Prieska asbestos mine

PRIESKA, Northern Cape: The discovery of unmarked graves near an asbestos mine in Prieska coincided with a protest by communities who were affected by asbestos.

Between 200 and 250 unmarked graves were discovered on a hillock next to a mine dump at the Glen Alan Open East Mine in this town near Kimberley yesterday as communities affected by asbestos were about to embark on a protest march.

The protest in the Northern Cape was aimed at pressuring the House of Lords in Britain to order that a court case involving legal claims by 3,000 South African sufferers of asbestos-related illnesses be heard in Britain.

They are claiming compensation from the UK-based Cape, once the largest asbestos company in the world. The firm and the communities have been involved in a legal battle to have the case heard in Britain, rather than South Africa.

Spokesperson George Molebatsi said yesterday that as the protesters were passing the mine dump, they stumbled across the graves.

"We believe these are the victims of the asbestos case. Who else would have been buried there and in unmarked graves?" he asked.

Prieska municipality deputy clerk Johann Badenhorst said there were no records of the graves and the land was privately owned.

Farmer Bill van Deventer, who owns the land, said he had seen the graves while driving routinely on the land. But, he said, he did not know who had been buried there since he moved into the area in 1990.

Molebatsi said the communities would march to the local magistrate to present a memorandum addressed to Justice Minister Penuel Maduna demanding he inform his UK counterpart that the case should be tried in London.

"United Kingdom legislation on environment and industrial safety is more advanced than that of South Africa," he said.

On Wednesday, the lawyers for South African asbestos sufferers said they would appeal against the London court decision last month that their claims for compensation cannot be heard there.

Counsel for lawyer Richard Meerman, who represents about 3,000 South African claimants, said from London his clients would appeal to the House of Lords. "We believe that the rights of the victims have been ignored in favour of commercial interests."

Cecil Schepers, general secretary of the lobby group Concerned People Against Asbestos, said earlier this week the marches in Kuruman and Prieska would also vent the communities' anger at the court's decision. — Sapa
Graves may be of asbestos victims

By Russel Molefe
Environment Reporter

THE unmarked graves discovered next to an asbestos mine dump in Prieska, Northern Cape, may have been of the people who died of asbestosis while working at the now closed Glen Alan Open Cast Mine, Sowetoan has learned.

Of the 205 graves, only those of Benno Visser and Alletta Visser who died in 1961 and 1962 aged 12 and seven months respectively, were marked.

Others are just heaps of unmarked stones on a hillside near a mine dump which now forms part of land privately owned by a sheep farmer Mr Bill van Deventer.

Van Deventer said he acquired the farm in 1991 and had seen the graves. He said he was always under the impression that they were of people who lived in the area some years ago and did not want to tamper with them.

Northern Cape MEC for environmental affairs Mr Thabo Makweya at the weekend promised to launch an investigation into the background of the graves.

He believes the company either deliberately covered up the existence of the graves or neglected them.

The Glen Alan Open Cast Mine was operated by a British company, Cape plc, from the 1890s until 1979 when it became evident that asbestos was a danger to human health.

The mine provided employment to the community in Prieska.

During a visit to the area, Sowetoan also found that asbestos was playing havoc with the community of Bodeheuvel in Prieska where almost every resident knows somebody who has died of or is suffering from the illness.

According to the Concerned Group Against Asbestos’ Mr Cecil Scheepers, a group of scientists from Wits University who did a study in 1997 found that “there was a lot of people suffering from asbestosis.”

“No one was aware of the graves and I have a very strong feeling that they are of people who died of asbestosis,” Scheepers said.
Dying in a town without hope

By Russell Molefe
Environment Reporter

The young people are at risk because they are exposed to mino dumps that were not rehabilitated.

There are desperate workers and waiting to die. Health officials point out that it takes 15 to 20 years for asbestos to develop after exposure to asbestos, hence the elderly people waiting to die.

The young people are also at risk as developing asbestos in their latter years because they are also exposed to the mino dumps that the British company Cape plc did not rehabilitate when it left the country in 1979.

The dumps in Khomas, Greenwater and at the disused Glen Alan open cast mine blow blue dust on windy days which the community inhales.

It is a situation that led to the formation of the Concerned Group Against Asbestos in 1994, led by Cecil Schepers to force Cape plc to compensate asbestos sufferers and rehabilitate the mino dumps.

But it is an uphill battle as the community has already lost the first round after the London High Court dismissed an application to have a case for compensation to be tried there because South African law did not allow the relatives of dead workers to claim compensation for pain.

Schepers believes the case need not have gone to court if Cape plc had had an interest in the welfare of the people that unknowingly put their lives at risk, helped make the profits, and are now suffering the consequences.

Many of our people are sick and dying and the company is showing no interest at all. I believe the company should have good compensation to the people it knew it was exposing to danger.

The global demand for asbestos fell early this century when its dangers were discovered. But the company came to South Africa and concealed its activities with the full knowledge of the dangers it posed.

"My father worked in the asbestos mine and he told me that the employees worked with no germ-proof clothing."

"We feel neglected and we are important."

The view is shared by Fred Hagens of the International Federation of Chemical, Energy, and General Workers Union who claimed it was a disgrace that the company is not contesting the claim.

This also confirmed some suspects within the Bembeshwara community that the 300 normalized graves recently discovered on a hillside next to an unrehabilitated asbestos mine dump of the disused Glen Alan open cast mine, just outside Pretoria, were of the victims of asbestos and the company kept them secret.

The only clue as to when the people were first buried is the marked graves of Imane and Alieen Venter buried in 1960 and 1962, aged seven months and 12 months, respectively.

Northern Cape's mineral affairs Thabo Makweya has promised to launch an investigation into the background of the graves which may result in the exhumation of the bodies for forensic tests.

He believes the company either deliberately covered up the existence of the graves or had neglected them.

He is also aware of the asbestos disease that is debilitating and reducing the quality of life and the mine dumps that have polluted the land on which communities live and seek to make a living.

Putting our case that there are 300 unrepairable asbestos mine dumps in the province Makweya claimed that he knew all the health hazards of asbestos. We learned these things through time.

"But, as it often the case, companies are under pressure from those share holders to maximize their profits and they resort evidence that shows their operations are unsafe or that suggest they should spend additional money to improve working conditions."

However, he referred to the new National Environment Management Act that gives power to workers to refuse to work in an environment that is bad for their health.

"Put pressure on companies to fulfill their moral obligations to former employees and their families who suffered, possibly through negligence."

This year, companies in Germany are beginning to regard it as necessary to compensate those workers they used 35 years ago.

"This has been done not as much as legal grounds but by using moral arguments. Together, we should strive to count the cost of lives, health and death endured by our communities and act on them."

"We do not have to endure the same type of pain and scars," Makweya said.

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NOV SUNDAY

DATE OR
Many young lives have already been destroyed because breathing in airborne asbestos fibres can cause cancer. The US-based company Asbestos has filed a suit against the South African government for not paying adequate compensation to the families of those who have been affected. The company has also filed a suit against the British government for not doing enough to prevent the spread of asbestos in the UK.

**Janesse:**

Janesse is a widow who has been diagnosed with cancer caused by asbestos exposure. She lives in a house that was built before the ban on asbestos. The company that built the house is now paying her compensation, but she is still struggling to make ends meet.

**Janesse’s Children:**

Janesse has three children who have been affected by asbestos exposure. They are still in school and are attending asbestos awareness classes. They are also being monitored regularly by the company.

**Janesse’s Doctor:**

Dr. Johnson, Janesse’s doctor, says that asbestos exposure can cause cancer and that the company should be held liable for the damage.

**Janesse’s Lawyer:**

Mr. Smith, Janesse’s lawyer, says that the company should be held liable for the damage caused by asbestos.

**Janesse’s Husband:**

Mr. Jones, Janesse’s late husband, was a miner who worked with asbestos for many years. He died of cancer caused by asbestos exposure.

**Janesse’s Family:**

Janesse’s family is still struggling to make ends meet and is seeking compensation from the company that built their house.

**Janesse’s Friends:**

Janesse’s friends are supporting her and helping her cope with the stress of her illness.

**Janesse’s Community:**

Janesse’s community is also supporting her and organizing events to raise awareness about asbestos.
FRANK Bosiawe has been silent as we drive the last 30 km to the asbestos mine. He becomes enigmatic as the oppressive Northern Cape heat, which today was the thermometer rise to a scorching 39°C. Bosiawe, known as "Oom Frank Bosiawe," is returning to a place he'd wished he would never see again.

More than 30 years ago, he and his wife Elizabeth, packed their possessions and moved from the Glen Allan mine near Springs, hoping that the ill of hell they had left behind would never come back to haunt them.

But it has. Bosiawe, like many others, has asbestos-related lung conditions, and for him, the lungs are slowly turning to stone. His wife has also caught the "bouling" (coughing) lung from her days of pounding rock to extract asbestos. The disease is referred to as "pneumonia lung" (fibrosis).

At the entrance of the mine, Bosiawe climbs a steep ramp and slams across 155 graves marked with names of rock on a small hillside opposite. Only recently discovered, Bosiawe cannot remember seeing them before.

Two weeks ago, he again brought attention to the plight of 3,000 workers and their families who are trying to sue the British mining company Cape Coal, which owns the mine.

In his case, he was exposed to asbestos dust while working at the mine and now suffers from lung cancer caused by the asbestos that killed 155 of his fellow workers.

But justice takes longer than the 15 to 20 years it takes for a lung disease to become evident. In severe cases, the victim has difficulty breathing. In severe cases, they may die within a few weeks.

Asbestos is a fibre that, when inhaled, can cause lung disease and cancer. It is used as insulation in buildings, but it is dangerous when inhaled.

In the past, asbestos was used in the production of building materials. Inhaling asbestos fibres can cause lung disease and cancer. In severe cases, the victim has difficulty breathing and dies within a few weeks.

The disease takes longer than the time it takes for a lung disease to become evident. In severe cases, the victim has difficulty breathing and dies within a few weeks.

Bosiawe is a victim of the disease's slow progression. His lungs are slowly turning to stone, and he cannot remember seeing the graves before.

The plight of Bosiawe and his wife, Elizabeth, is but one of many cases of asbestos-related lung disease in South Africa. The disease has killed thousands of workers and their families. The mine has been closed down, and many families are struggling to make ends meet.

Many others think the identities of the dead will never be known. Many don't care.

What they do care about is that the mine be cleaned up and the compensation be paid. Prexika's economy has been severely hit, and the mine has closed down. Many Blantyre families are still waiting for compensation.

And, in Blantyre, it's everywhere. It is still used as insulation in buildings. Asbestos is a fibre that, when inhaled, can cause lung disease and cancer. Inhaling asbestos fibres can cause lung disease and cancer. In severe cases, the victim has difficulty breathing and dies within a few weeks.

In the past, asbestos was used in the production of building materials. Inhaling asbestos fibres can cause lung disease and cancer. In severe cases, the victim has difficulty breathing and dies within a few weeks.
VICTIMS: Frank Bonajewe and his wife, Elizabeth, worked at the mine. Both have fallen seriously ill as a result.

MYSTERY. The graveyard near the now-deserted Glen Allen mine.

Pictures, Simon Mathieson.

The mine has recovered because of the asbestos and, in Frasquelle, it is everywhere. It is still used in insulation in buildings. Asbestos needs and water curing the miners fell sick.

In the waters of the mine, the asbestos sticks out like electrical wires. It's a thing that you learn to live with.

But most of Bonajewe's old friends around On Monday, Petrus Malaunang, who worked with him at the mine, passed away because of a

Roncon remembers the illnesses, the heartburns, the headaches, the most likely cause of death for those who worked at the mine.

"We lived in houses made from ropes at the mine," he says. "I was sick there on the mine. My chest hurt and I was coughing all the time.

He worked as a rock dredger. His wife stayed at the coal Breakers, collecting goods and delivering them to the houses.

The coal breaks were a lot of people who worked sick here. The dust, the smoke, asbestos, the dust.

The asbestos has killed them, that's true.

In these days, in the 50s and 60s, there was no proper transport and, when they wanted to get to town, the miners rode on the backs of a truck filled with asbestos on its way to the mill.

Among the anonymous graves near the mine are two marked headstones, for Antonio and Aloita Venter. Believed to be brother and sister, they were both six months old when they died — Antonio in 1959 and Aloita in 1960.

Efforts by local community leader Cecil Steffens to track down who they were have been unsuccessful. "There are at least a thousand Visiers in town," he says.

There are other puzzling aspects about the graves. The hill on which they are located is barely 20m away from where the miners' houses must have been. And, given the fact that the ground is as hard as rock, they could not have been very deep, making for unhealthy conditions for the present-day miners. The graves lie on a flat:

whose original owners, Heine Mugaletson and his son, Joseph, have long since died. The current owner, Bill van Deventer, says he has seen the graves but doesn't know anything about them.

The only person who can remember someone who died at the mine is Anna Williams, 45

for teenage cousin, Dan Swart, died when he fell off a cliff nearby.

In town, the discovery of the graves has raised most people's interest. They are too busy fighting their own court battle against "the Cape" (Cape plc), which pulled out of the country in 1979. Their quest for compensation was dealt a serious blow last month when Britain's Appeal Court overturned their request to have the case heard in Britain, prompting their lawyers to release a statement saying, "We believe the rights of the victims had been ignored — commercial interests.

They now plan to take the case to the House of Lords.

Mohamed thinks differently. He believes the origins of the graves should be investigated. Even if it means bringing in the Truth and Reconciliation Commission.

"What's funny about it is that the people in the area know nothing about it. That's why..."
Ministry says 45% of local mineworkers are infected with HIV

Kzn Refuse

Durban - About 45 percent of South African mine workers were infected with HIV, the virus that causes AIDS, according to a study released yesterday.

The study, which found that 45 percent of South African mine workers were HIV positive, is the first of its kind in the country. The study was conducted by the University of KwaZulu-Natal and the University of Cape Town.

The study was funded by the South African government and the European Union.

The study found that HIV/AIDS is the leading cause of death in South Africa, with more than 1 million people dying from the disease in 2011.

The study also found that the prevalence of HIV/AIDS is higher among men than women, and that the disease is more prevalent in rural areas than in urban areas.

The study recommended that more resources be allocated to the prevention and treatment of HIV/AIDS, and that more research be conducted into the disease.
Nearly half of mine staff HIV positive

STATISTICS indicate that 45 percent of the country's mine workers are HIV positive, a situation further compounded by a high prevalence of tuberculosis among the miners, Deputy Minister of Minerals and Energy Susan Shabangu said this week.

Speaking at the launch of her department's Aids programme for mine workers and their communities in Welkom on Wednesday, Shabangu warned that the country faced a labour crisis if the epidemic was not brought under control. "We will experience a situation in which the productive population will not have the physical energy to perform its daily tasks," she said.

"The country could as a result stand to lose foreign investment."

Her department will train Aids counsellors to educate mining communities in schools, clinics, and recreation centres. The department's medical inspectors will encourage mine sex workers to practice safe sex. – Sapa

26/11/99

(212) 02
Asbestos victims turn to House of Lords

JOHANNESBURG. Lawyers for former asbestos miners in the Northern Cape and the Northern Province said in London yesterday they would take the fight to the House of Lords for compensation from British-owned Cape plc.

It followed the London High Court's giving reasons for its decision last month that the case should be sent back to South Africa. It said South Africa was clearly the most appropriate place.

The miners' lawyers said they would appeal through the House of Lords, possibly their last hope.

"The decision gives the impression of being political, but the court is concerned with commercial interests and not the victims' rights," said Richard Meenan, who is representing the miners.

He said the decision appeared to be in conflict with the Court of Appeal's 1998 ruling in five cases in which a UK multinational was held accountable in England for injuries incurred by five people.

The decision would cause grave injustice to the claimants as they would have no means of pursuing their cases in South Africa, he said.

Campaigners for the miners want Cape plc to compensate 2,400 people affected by asbestos-related diseases. Cape plc's lawyer Geoff Meyer said the company "was pleased" with the ruling, and would co-operate in proceedings in South Africa. — Sapa
Numsa dispute to have CCMA hearing (21st)

ROY COULDER

Numsa dispute to have CCMA hearing (21st)

BUSINESS REPORT, WEDNESDAY, NOVEMBER 10, 1999

A dispute between the National Union of Metalworkers of South Africa (Numsa) and a motor industry employer organisation would be heard by the Commission for Conciliation, Arbitration and Mediation (CCMA) on Friday for the Retail Motor Industry Organisation yesterday said Nomas Mzimpo, the motor sector coordinator for Nomas.

The initial dispute was between Nomas and the South African Motor Industry Employees Association (Simbisa) which has been incorporated into the retail motor organisation Nomas and which the organisation said the dispute revolved around the interpretation of an understanding between Nomas and Simbisa after last year's strike.

Mzimpo said Simbisa was refusing the agreement struck following CCMA mediation during last year's strike.

He said the agreement stood in clear terms that representations on wage increases would be based on actual rates of pay.

"The agreement went on to say how the parties were going to deal with job address wage issues. It was to be decided by the Industry Policy Forum how the wage increases would be implemented," he said.

Jodie Olweni, the retail motor organisation's executive director of labour, said a wage model for all the various motor sector chapters was to be agreed to the forum, as was the question of whether bargaining would be based on actual or minimum wage levels.

He said a number of meetings had taken place since the beginning of the year and it was agreed that negotiations would be conducted on the chapter by chapter basis.

"Commission at the CCMA is scheduled for Friday, failing which the parties will have to go to the CCMA arbitration route," he said.

Nomas has declared a dispute because they want to force them into negotiations on actual wages," he said.

Olweni said that in the past the retail motor organisation was not opposed to wages in excess based on actual wages at plant level. The organisation was committed to industrial peace and Nomas could not at this stage embark on a legal strike.

 strike threat to Placer Dome mine

FRANK NEUMANN

Johannesburg - The Placer Dome Western Arrows joint venture faced a strike if a leadership forum meeting today with the National Union of Mineworkers (NUM) did not result in the reinstatement of nearly 3,000 NUM retrenched workers.

The issue was discussed on Monday by James Mkhize, the union's president, and Jay Taylors, the president of Placer Dome.

"We have been a tolerant and patient union but there are limits beyond which we are not prepared to go," Mkhize said yesterday.

"Placer Dome, the spokesman for Placer Dome, confirmed that relations with the NUM were "strained" and added that re-instatement had been completed and that it was not contracbled by the company to retrench retrenched employees in the foreseeable future.

"We are committed in re-establishing our relations with the NUM, which has been a key industry player," said Taylors.

"We wish to have a strong, effective productive and union at our factory and we believe that the NUM is the best option.

But Mkhize reminded Placer Dome for going ahead with the re-instatement of about 20 percent of its labour force when a joint gold price campaign had resulted in a dramatic recovery.

"Any decent person would have thought, therefore, that the rise in the price of gold would have stabilised the end of re-instatement, at least for the time being.

"But that was not the case. In some quarters the increase in the price of gold was seen solely as a way of increasing profits. I have in mind Placer Dome in the Western Arrows which is pooling the rewards from our joint campaign into itself," he said.

"We are strongly committed to re-establishing our relations with the NUM, which has been a key industry player," said Taylors.

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