

1 Commissioner, and it was obvious to visitors.

2 The inspectors were aware of the problem and began
3 documenting their concerns in July of 1991. In September
4 they exacted a promise from the operator that a program
5 for the control and inerting of coal dust and the
6 sampling of dust would be in place by the end of the
7 month. As we know, that promise was never kept.
8 Instead, it was renewed regularly by the operator until
9 the coal dust exploded.

10 We submit you should find that the repeated failure
11 of the Department of Labour to follow through on its
12 request for a program to control coal dust at Westray was
13 a fundamental lapse in the exercise of its
14 responsibilities under the Coal Mines Regulation Act.

15 I just refer briefly to Mr. White's tortured
16 attempts before you to have you believe that they were
17 not asking for a coal dusting program; they were asking
18 for a dust sampling program.

19 Mr. Commissioner, it's clear that Mr. White knew the
20 difference, as everyone else in this room knew the
21 difference. That's why they were asking for both a coal
22 dust sampling program and a coal dusting program.

23 Nothing better illustrates the incompetence with
24 which the inspectors dealt with the dust problem at
25 Westray than their actions after the coal dust orders