

1           And the evidence is, Mr. Commissioner, that the mine  
2 management didn't take methane seriously either. They  
3 never produced a ventilation plan for the mine, and they  
4 never asked for help from the engineering department to  
5 solve ventilation problems. The ventilation system came  
6 together haphazardly, without any consideration of how  
7 the pieces fit together as a whole. Particular problems  
8 such as leaking stoppings or cavities that trapped pools  
9 of methane in the roof were simply not addressed, and no  
10 consideration was given to methane layering or to the  
11 impact of changes that barometric pressure would have on  
12 the movement of gas in the mine.

13           And we know that the gas in the Southwest section  
14 was largely ignored, even though the mine knew that there  
15 were large bodies of gas in the section and that it was  
16 leaking from the plywood barriers.

17           We submit you should find that in failing to deal  
18 with coal dust and in failing to manage and control the  
19 methane in the Southwest 1 district, Westray management  
20 ignored obvious safety hazards to the safety of people in  
21 the mine. These hazards were direct factors in the  
22 explosion on May 9. The decisions of Westray management  
23 were conditioned by a belief that they would not be  
24 interfered with by regulatory authorities.

25           In the evidence, Mr. Commissioner, there's a