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Nominees Signal More Regulation

BY MELANIE TROTTMAN

(See Correction & Amplification below.)

WASHINGTON -- President Barack Obama's choice of a longtime union official and mine-safety advocate to head the federal mine-safety agency is the latest in a string of Labor Department appointments that signal stepped-up regulation.

Mr. Obama earlier this month announced his plan to nominate Joseph A. Main to oversee the Mine Safety and Health Administration as assistant secretary. Mr. Main, a self-employed mine-safety consultant, is a Pennsylvania native who began his career working in coal mines. He later spent more than 20 years at the United Mine Workers union, as a safety inspector and then as administrator of the union's occupational-health and safety department.

Mr. Main's nomination -- along with appointments of other safety and union advocates at the Labor Department -- contrasts with President George W. Bush's appointees, who tended to come from management ranks.

For the helm of the Labor Department, Mr. Obama picked former Democratic Rep. Hilda Solis of California, whose nomination had been stalled by Republican lawmakers who cited concerns about her ties to a union-advocacy group.

Elaine Chao, her predecessor, had worked for banking giants Citicorp and BankAmerica, the Department of Transportation and the United Way of America. At the Labor Department, she became known as an ally of businesses, saying they needed the department's help to understand what she called an "exhaustive" list of regulations. Ms. Chao also created an office dedicated to small businesses within the Occupational Safety and Health Administration.

Mr. Obama named Jordan Barab as the No. 2 official at OSHA, as well as the acting agency head. Mr. Barab, who had been a safety and

health advocate for the House Education and Labor Committee and the AFL-CIO, helped promulgate an ergonomics standard during an earlier stint at OSHA, and wrote a workplace-safety blog that was sometimes critical of Bush labor policies.

Edwin Foulke, the last head of OSHA in the Bush administration, had been a management-side labor lawyer.

If Mr. Main's nomination clears the Senate, he would be the first confirmed head of MSHA since 2004, and would likely bring a tougher approach to mining regulation as the agency carries out a 2006 law passed after 47 coal miners died in a string of accidents, including one at the West Virginia Sago Mine that killed 12 miners. The law requires that underground mines have wireless-communications services and more stored oxygen, and it allows for heftier penalties.

Despite the high-profile accidents, Labor Department data show injury rates in the mining industry dropped steadily from 2000 through 2008, down 37%, while fatalities fell 43%, although they rose and fell over those years. There have been 21 fatalities this year, eight involving coal mines.

At Consol Energy Inc., a leading coal producer, spokesman Thomas Hoffman called Mr. Main "an acceptable choice," saying, "We may have had other choices [for the mine safety post], but we know Joe Main."

Carol Raulston, a spokeswoman for the National Mining Association, said she expects Mr. Main "will be tough," but added he is someone with experience who should help the safety agency.

Still, consumer-advocacy group Public Citizen sent letters last week to Mr. Obama and members of Congress, asking for more resources and new leadership at the Federal Mine Safety and Health Review Commission. That agency is responsible for ruling on mine-safety disputes, and at current funding levels

it would need five years to address its backlog of nearly 13,000 cases, Public Citizen estimated.

"Congress rightly passed stricter mining-safety regulations in 2006, but new rules and fines are useless if they are not enforced," said David Arkush, director of Public Citizen's Congress Watch division.

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Correction & Amplification
Twelve miners were killed in the Sago Mine accident in West Virginia in January 2006. In a previous version of this story, the number of deaths was incorrectly reported as 11.