



DEC 07 2011

The Honorable John Kline  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Kline:

Please accept this interim response to your letter of November 30, 2011, in which you expressed concern about critical technical reports not being transmitted to mine operators by the Mine Safety and Health Administration (MSHA). I agree that these reports are important and need to be transmitted to mine operators in a timely manner.

Your letter referenced Technical Support reports related to MSHA's investigation (October 2008) of the ground failure at Lucky Friday Mine and the 2003 outburst at Massey Energy's Upper Big Branch Mine. Our preliminary review reveals that MSHA verbally communicated the results of the Technical Support investigations, including the recommendations, to both operators at close-out conferences following the investigations. We are still trying to determine if the mine operators received copies of the technical support reports at the time of the investigations.

You requested that MSHA undertake a complete review of its technical reports to determine whether any additional reports have not been transmitted to mine operators. You also requested that we review the Agency's protocols for drafting and transmitting technical reports to ensure important safety information is shared with all appropriate parties. I have initiated a complete review of our procedures and protocols for drafting and transmitting Technical Support reports to ensure that important safety information is shared with all appropriate parties in a timely manner. That review will include the updating of any policies and procedures to ensure that reports are transmitted as expeditiously as possible.

We will inform you and your staff when our review is complete. Should you need additional information or have further questions, please contact Ms. Carrianna Suiter, Legislative Officer, at 202-693-4600 or via email at [suiter.carrianna@dol.gov](mailto:suiter.carrianna@dol.gov).

Sincerely,

A handwritten signature in dark ink that reads "Joseph A. Main".

Joseph A. Main  
Assistant Secretary of Labor for  
Mine Safety and Health