

**U.S. Department of Labor**

Mine Safety and Health Administration  
1301 Airport Road  
Room D-200  
Beaver, West Virginia 25813-9426

To Whom It May Concern:

Earlier this year, you were interviewed as part of the Mine Safety & Health Administration's (MSHA) accident investigation of the Upper Big Branch Mine-South explosion that occurred on April 5, 2010. Either during that interview, or at a later time by written request, you requested an opportunity to review your transcript prior to its public release. This letter details the procedures for that transcript review.

You (and, if present, your personal or legal representative) will be provided with an opportunity to read a copy of your transcript in a location designated by MSHA's accident investigation team. You will be provided a reasonable period of time for your review. During your review, you may bring stationery on which you may take notes of the contents of your transcript.

You may NOT take the transcript with you. This means that you may not leave the review room with the transcript at any time. You may NOT make any copies of the transcript through any means of reproduction. This means, for example, that you may not use a copier to make a copy of the transcript, that you may not take photographs or video of the transcript, that you may not create an audio recording of the transcript, and that you may not attempt to reproduce the transcript by any other means. Consistent with this procedure, you may not bring into the review room cameras, video-cameras, tape-recorders, cell phones, or any other technological device that has reproductive capability. You may leave such devices in your vehicle or with MSHA's accident investigation team; the team will return your devices to you following the completion of your review.

Finally, if you identify errors in the transcript, you may write a follow-up letter to MSHA's accident investigation team identifying and describing those errors. Please identify any errors by page and line number. The transcript will not be modified to reflect these alleged errors; however, your letter will be released in conjunction with your transcript.

Please sign below to certify that you understand the above procedures for your transcript review. Once you have signed, a copy of your signed letter will be provided to you.

(b) (7)(C)  
Witness

8/24/10  
Date

Witness' Representative  
(b) (7)(C)  
MSHA Representative

Date  
8/24/10  
Date

August 24, 2010

Mr. Norman Page  
Lead Accident Investigator  
Upper Big Branch Mine - South Accident  
National Mine Academy  
Beaver, WV

Dear Mr. Page,

I was interviewed following the accident at Performance Coal Company, Upper Big Branch Mine - South. I have carefully reviewed the transcript of that interview and have found the following discrepancies.

1. Page 17, Line 7: Should have read "...there wasn't any photos taken"
2. Page 23, Line 13: I misunderstood the question. I thought I was asked if I walked or rode to that section. Therefore,
3. Page 23, Line 14: The answer should have been that I walked through the section.

Thank you for allowing me the opportunity to review the transcript.

Sincerely,

Johnny Syner  
**(b) (7)(C)**