

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.

Kevin E. Fegall
Witness

8-23-10
Date

Reba Ann Crawford
Witness' Representative

8-23-10
Date

Alvin B...
MSHA Representative

8/25/10
Date

August 23, 2010

Mr. Norman Page
Lead Investigator
UBB Disaster
District 6
Pikeville, KY

Dear Mr. Page:

While reviewing my transcript, I have found the following discrepancies:

- Page 21 Line 8 should not be "shale co-operators" but "shuttle car operators"
- Page 21 Line 9 should not be "boom" but "a bolter"
- Page 24 Line 13 should not be "Y" but "wide"
- Page 27 Line 13 should not be "deserved" but "observed"
- Page 28 Line 8A should not be "check real-time" but "checks real tight"
- Page 28 Line 9 should not be "Real-time" but "real tight"
- Page 41 Line 12 - question was "wrote them" not "ride them"
- Page 48 Line 13 should not be "sectional" but "section"
- Page 50 Line 16 should not be "rows" but "rolls"
- Page 54 Line 19 should not be "open" but "up and"
- Page 56 Line 22 should not be "set a gas" but "set at gas"
- Page 59 Line 3 should not be "South" but "Selfe"

Kevin Lyall

Kevin Lyall 8-23-10