Ken Ward

From: Don Blankenship <donblankenship.presslist=gmail.com@mail174.sea22.mcdlv.net> on behalf of Don Blankenship <donblankenship.presslist@gmail.com>
Sent: Tuesday, December 12, 2017 4:34 PM
To: Ken Ward
Subject: Don Blankenship Releases First Secret MSHA Email

Don Blankenship, former CEO of Massey Energy Company and candidate for U.S. Senate, releases the first secret MSHA email related to the Upper Big Branch cover-up.

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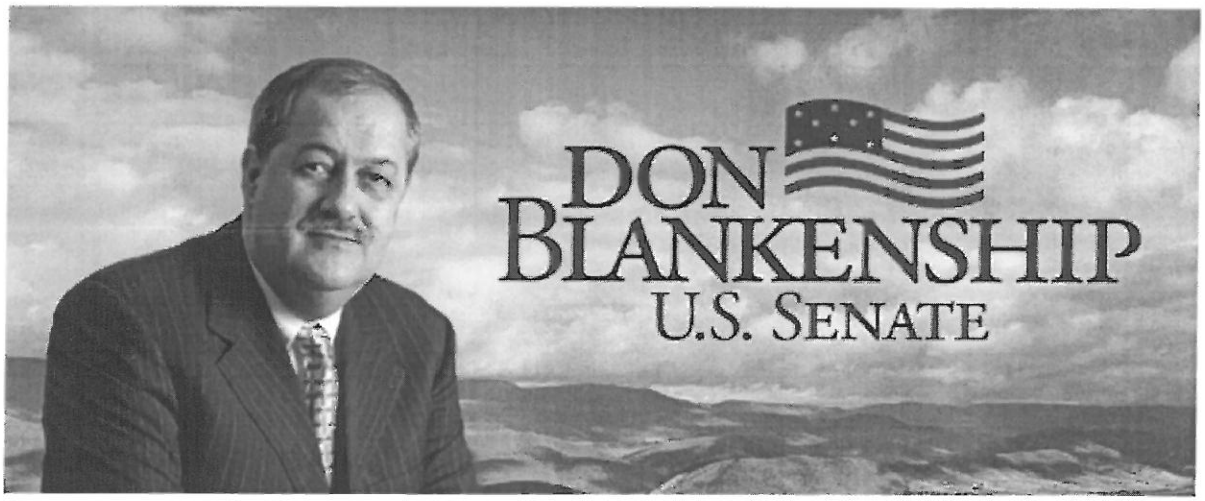

FOR IMMEDIATE RELEASE
DECEMBER 12, 2017

CONTACT: Mr. Don Blankenship
donblankenship.presslist@gmail.com

Don Blankenship Releases First Secret MSHA Email Regarding UBB Cover-Up

Williamson, W.Va. - Don Blankenship, former CEO of Massey Energy Company and candidate for U.S. Senate, issued the first secret MSHA email related to the Upper Big Branch investigation today.

The media, the politicians and in particular Senator Joe Manchin want the television and social media ads that are exposing the Mine Safety and Health Administration's

(MSHA) Upper Big Branch (UBB) cover-up to stop. Some in the media even say the UBB explosion is old news, and they say "no one cares about that anymore." But that is wishful thinking on their part.

Below is a timeline that will interest anyone who wants to learn the UBB truth. Also attached is one of the many MSHA emails we have mentioned as having in our possession.

September 1, 2011: Jack Kuzar, the head of the MSHA Internal Review team resigns. However, MSHA fails to notify the public of his resignation until December, nearly 4 months after his resignation. Later asked about his departure Kuzar said "people didn't like what they were being told."

December 4, 2011: (SUNDAY): William Francart sends an email saying "we had a shredding party at Beckley and the charts.... were modified to be unreadable".

December 16, 2011: Minnesota Representative John Kline writes to U.S. Secretary of Labor Hilda Solis saying "It is highly unusual, if not unprecedented, for the head of an internal review team to depart in the midst of such an important examination. That such a departure occurred 16 months into the review and as the final report was nearing completion is also troubling." In fact, when Kline wrote his letter the MSHA internal review investigation was then complete and only the report remained to be issued.

December 23, 2011: Obama's U.S. Department of Labor Assistant Secretary of Congressional and Intergovernmental Affairs Brian Kennedy informs Congressman Kline that George Fesak has been put in charge of MSHA's Internal Review investigation and William Francart is named "technical team leader" of the MSHA Internal Review investigation

February 1, 2012: Joe Main, the Head of MSHA, tells a reporter that he and other MSHA officials including Kevin Stricklin, the Chief MSHA Coal Mine Regulator, are

reviewing and editing the supposedly independently prepared Internal Review report. The draft Main is reviewing and editing is never released.

February 13, 2012: Twelve days after Main says he is editing the report the attached email is sent by George Fesak, head of the investigation. You will note the word "still" when the email says the "Internal Review report still made it appear that MSHA was responsible for a defective ventilation plan at UBB."

The opportunity for the heads of MSHA to cover-up the UBB truth and the fact they did cannot be more obvious. There was no disagreement within MSHA that the ventilation plan was defective. Yet it was not even mentioned as a possible cause of the explosion in the MSHA investigation report.

MSHA knew they blew the coal mine up. That is why Kevin Stricklin said before any investigation had even begun "the operator blew up the mine – MSHA didn't." He said this because what he did know was that MSHA had required the miners to use the MSHA defective ventilation system despite the miners begging them not to.

MSHA knew at the time that the only thing that might have prevented the explosion was the ventilation plan the mine had used for the prior 17 years. The system they used before MSHA made them change it. MSHA knew they blew up the mine – and that the operator didn't.

Here is the email Fesak wrote:

From: Fesak, George M - MSHA
Sent: Monday, February 13, 2012 12:21 PM
To: Turow, Stephen D - MSHA
Cc: Strassler, Heidi W - MSHA; Dondis, Lynn - MSHA
Subject: RE: IR report

Steve,

First, you told Lynn that the Internal Review report still made it appear that MSHA was responsible for a defective ventilation plan at UBB. (It would have been really good if you had told me that, since I am the one who can fix it.) Then you sent Greg Wagner a copy of the IR report with the DOJ redactions. Now you contacted Amy about getting a copy of the report's Executive Summary and General Conclusion, and offered to brief her on the team's findings.

None of these are within the purview of your role as Council to the Internal Review team. Please stop.

George

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Paid for by Don Blankenship for U.S. Senate

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