

United States Senate

WASHINGTON, DC 20510

February 25, 2026

The Honorable Wayne Palmer
Assistant Secretary of Labor
Mine Safety and Health Administration
U.S. Department of Labor
200 Constitution Ave NW
Washington, DC 20210

Dear Assistant Secretary Palmer,

We write regarding the tragic Rolling Thunder Mine accident that occurred in Nicholas County, West Virginia on November 8, 2025, resulting in the devastating loss of one miner. We have serious concern over reports that have raised questions about the U.S. Mine Safety and Health Administration's (MSHA) response to the emergency.

As you know, incidents of this magnitude demand not only a swift and coordinated response, but also transparency, accountability, and a clear commitment to preventing future tragedies. Miners and their families in Virginia and across the country deserve confidence that MSHA prioritizes worker safety and preventing disasters, while also maintaining capacity to respond to any emergencies immediately and adequately. We are concerned by reports that MSHA failed to deploy and use a seismograph in its response to the accident at the Rolling Thunder Mine, despite the agency having access to an upgraded system.¹

These reports raise questions about whether the ongoing efforts to downsize MSHA's workforce have begun to interfere with the agency's ability to effectively protect our nation's miners. According to MSHA's own reports, the agency has 1,409 employees, which is 14 percent below the 1,637 employees funded in the agency's fiscal year 2025 appropriations.² We are alarmed that staffing shortages may have begun to affect the agency's ability to conduct inspections to prevent future disasters, enforce critical safety regulations, and respond timely and appropriately to emergencies like the one at Rolling Thunder Mine. For instance, it has been reported that MSHA impact inspections, which are conducted at mines deemed in greater need of enforcement oversight due to poor compliance or accident history, dropped 75 percent in the first five months of the Trump Administration.³

¹ Tony, M. (2025, December 5). *Miner safety advocates concerned by MSHA response to Rolling Thunder Mine incident*. Charleston Gazette-Mail. https://www.wvgazettemail.com/news/energy_and_environment/miner-safety-advocates-concerned-by-msha-response-to-rolling-thunder-mine-incident/article_37ce1e2f-2005-4c66-bfbd-d4aff7c59087.html

² Tony, M. (2026, January 24). *Miner allies pan MSHA head over resource cuts, not enforcing black lung-focused rule*. Charleston Gazette-Mail. https://www.wvgazettemail.com/news/energy_and_environment/miner-allies-pan-msha-head-over-resource-cuts-not-enforcing-black-lung-focused-rule/article_e37402a4-22da-48ed-bb7f-c9954be560bb.html

³ Ortega, B., Devine, C., Lah, K., & Tolan, C. (2025, June 4). *Coal miners backed Trump. He's dismantled their safety net*. CNN. <https://www.cnn.com/2025/06/04/us/trump-coal-miners-inspections-safety-invs>

Protecting the health and safety of our miners is paramount. Although these are inherently risky jobs, it is unacceptable that 33 miners lost their lives last year, a 27 percent increase in mining fatalities compared to 2024.⁴ In response to these concerns, we request answers to the following questions:

1. Why was a seismograph not deployed in the response effort at the Rolling Thunder Mine accident that occurred on November 8, 2025?
 - a. If use of a seismic system was not possible during pumping and drilling activities that were necessary to remove water from the accident site, why did MSHA decide not to alternate between drilling and seismic device use?
2. Please provide a comprehensive timeline disclosing MSHA's awareness of safety concerns at the Rolling Thunder Mine prior to the accident, including inspections conducted, violations cited, and any enforcement actions taken.
3. Has MSHA identified any workforce shortages or regulatory changes that may affect the frequency or quality of inspections?
4. Please provide a detailed plan demonstrating how MSHA will continue to fulfill its obligations to adequately keep miners safe despite more limited staffing capacity.

For generations, our nation's coal miners have made tremendous sacrifices, literally risking their lives, to power America and ensure a robust nationwide supply of critical steel. We all share an urgent responsibility to guarantee that every available tool to protect miner safety is utilized appropriately to ensure that our miners make it home unharmed after every shift.

Thank you for your prompt attention to this matter. We look forward to your response.

Sincerely,



Mark R. Warner
United States Senator



Tim Kaine
United States Senator

⁴ Yanik, K. (2026, January 5). MSHA: Industry finishes 2025 with 33 miner fatalities. Pit & Quarry. <https://www.pitandquarry.com/msha-industry-finishes-2025-with-33-miner-fatalities/>