



OCT 11 2011

The Honorable Dean Heller
Attn: Andrew Lingenfelter
400 S. Virginia St., Ste. 738
Reno, NV 89051

Dear Senator Heller:

Thank you for your correspondence dated August 31, 2011 to the U.S. Department of Labor (DOL) on behalf of your constituent, Mr. Nick Nichols. Mr. Nichols contacted your office regarding his concerns with information he received from American Wind Energy Association regarding individuals posing as Occupational Safety and Health Administration (OSHA) Compliance Officers and threatening to issue citations to companies who do not purchase products from his company, Pinnacle Wind USA.

Your correspondence was referred to OSHA for response. As a result, OSHA reviewed this matter and has not found any evidence to substantiate Mr. Nichols' concerns. Mr. Nichols also contacted the OSHA Seattle Regional Office and spoke with Mr. David Mahlum, Deputy Regional Administrator, on or about August 19, 2011, concerning this matter. Mr. Mahlum explained to Mr. Nichols that OSHA was unaware of any reported cases of OSHA impersonators threatening companies to purchase Pinnacle Wind USA products. Subsequently, the information provided by Mr. Nichols was shared with all OSHA regional offices to ensure they were alerted in the event such an incident should occur.

As mentioned, OSHA is unaware of any type of activity as described by Mr. Nichols. However, if Mr. Nichols would like to further pursue this matter, he can submit a complaint to the DOL Office of the Inspector General (OIG). Information on submitting complaints to the OIG can be found on-line at www.oig.dol.gov.

We appreciate the opportunity to be of assistance and hope that this information is helpful.

Sincerely,

David Michaels, PhD, MPH

cc: Senator Heller, Washington, DC Office