



OCT 06 2008

MEMORANDUM FOR KEVIN G. STRICKLIN
Administrator for Coal
Mine Safety and Health

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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: C-2008-01 [REDACTED] Deceased: [REDACTED]

Date of Incident: January 10, 2008 Date of Death: January 10, 2008

Operator: Independence Coal Co. Mine: West Cazy Surface Mine

Decision: Not Chargeable

In a unanimous decision, the Fatality Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. The deceased, a 45-year-old diesel mechanic, was found unresponsive beside the service truck he had been driving. The service truck was checked for stray electrical currents and none were found. Air samples were taken in the cab of the truck and the surrounding area was examined for hazards. No hazards were found.

The death certificate indicated that the cause of death was coronary artery disease with obesity as a secondary factor. Based on the death certificate and the results of MSHA's investigation, the committee members concluded that [REDACTED] died from natural causes and his death should not be charged to the mining industry.

Doctor Alfred B. Brooks, Medical Director, Office of Workers Compensation Programs, voted "Not Chargeable" on this case but was not able to sign this decision memorandum.

cc: Richard E. Stickler
John Pallasch
Robert M. Friend