



OCT 01 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-2008-04 [REDACTED] Deceased: [REDACTED]

Date of Incident: February 2, 2008 Date of Death: February 2, 2008

Operator: Reading Anthracite Co. Mine: Wadesville P-33 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. MSHA's investigation disclosed that [REDACTED] age 20, was not a mine employee and was not authorized to be on mine property. [REDACTED] and a companion were in the process of stealing copper wire from a mine substation when [REDACTED] contacted energized power conductors and was electrocuted. The companion was arrested and charged with trespassing.

Based on the results of MSHA's investigation, the committee members concluded that [REDACTED] death should not be charged to the mining industry because he was trespassing in a mine substation when he was electrocuted.

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