



JAN 16 2009

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-2008-40 [REDACTED] Deceased: [REDACTED]

Date of Incident: October 16, 2008 Date of Death: October 16, 2008

Operator: Lone Mountain Processing, Inc. Mine: Huff Creek Mine No. 1

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 revealed that [REDACTED] was employed as an equipment operator at the Huff Creek Mine No. 1. Another mine employee found him unconscious in the deck of a Stamler Ram Car. Cardiopulmonary resuscitation was administered while [REDACTED] was transported to the surface of the mine. He was then airlifted to the Holston Valley Medical Center where he was pronounced dead. MSHA investigators did not identify any conditions that could have caused [REDACTED] death. The Death Certificate indicates that the manner of death was natural and the cause of death was ventricular fibrillation secondary to atherosclerotic heart disease.

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.

cc: Richard E. Stickler
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