



**DEC 11 2009**

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

FROM:

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SUBJECT:

Fatality Review Committee Decision on Chargeability

Case No.: 2009-C-05

Deceased: [REDACTED]

Date of Incident: January 9, 2009

Date of Death: January 9, 2009

Operator: INR-WV Operating, LLC

Mine: Saunders Preparation Plant

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. According to MSHA's investigation, the deceased was found lying on the A-floor of the preparation plant. The investigation did not disclose any physical hazards or environmental factors. The autopsy indicated that the death was due to natural causes with the cause of death being ischemic heart disease; pulmonary emphysema was a contributory factor. The Certificate of Death indicated "Sudden Death – Ischemic Heart Disease." Based on the autopsy, 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: Joseph A. Main  
Gregory R. Wagner, M.D.  
Michael A. Davis