U.S. Department of Labor

Mine Safety and Health Administration
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Arlington, Virginia 22209-3939

JAN 16 2009

MEMORANDUM FOR FELIX A. QUINTANA
Administrator for Metal and
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FROM: GEORGE M. FESAK
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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: M-2008-43-King-Craig

Deceased: Craig A. King

Date of Incident: November 3, 2008

Date of Death: November 3, 2008

Operator: Unimin Corp.

Mine: Hamilton Mill

Decision: Not Chargeable

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In a unanimous decision, the Fatality Review Committee has determined that the death of Craig A. King should not be charged to the mining industry. MSHA's investigation revealed that Mr. King was employed as a supervisor at the Hamilton Mill. Mr. King experienced difficulty breathing during a staff meeting. He became non-responsive and could not be resuscitated by emergency crews. MSHA investigators did not identify any hazardous conditions that could have contributed to Mr. King's death. The Certificate of Death indicates that the manner of death was natural and the cause of death was myocardial infarction with diabetes and hypertension as significant conditions contributing to death.

Based on the Certificate of Death and the results of MSHA's investigation, the committee members concluded that Mr. King died from natural causes and his death should not be charged to the mining industry.

cc: Richard E. Stickler
John Pallasch
Michael A. Davis