



APR 13 2009

MEMORANDUM FOR FELIX A. QUINTANA
Administrator for Metal and
Nonmetal Mine Safety and Health

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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: M-2008-55 [REDACTED]

Deceased: [REDACTED]

Date of Incident: October 25, 2008

Date of Death: October 25, 2008

Operator: Weidle Corporation

Mine: Weidle Corporation

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 27 year old trespasser, was discovered by the mine operator just inside the rear entrance of an idle mine property. [REDACTED] had attached a hose from the exhaust pipe of his vehicle into the passenger compartment. The autopsy report found that carbon monoxide poisoning was the cause of death and the toxicology report indicated a probable drug overdose due to multiple medications.

Based on the autopsy findings and the results of both MSHA's investigation and the police department report, the committee members concluded that [REDACTED] death was a suicide and that his death should not be charged to the mining industry.

cc: Michael A. Davis