



JAN 25 2010

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.: 2009-C-10- [REDACTED]

Deceased: [REDACTED]

Date of Incident: May 01, 2009

Date of Death: Unknown

Operator : ICG Hazard, LLC.

Mine: Vicco 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. According to the MSHA investigation, the deceased was found in a culvert along an access road to an active coal mine. Her vehicle was also found on the site. The death was originally treated as a missing person's case but subsequently the Kentucky State Police began a murder/homicide investigation. It is believed that [REDACTED] was killed at another location and her body was left at the property. The deceased was not a miner, contractor or customer and the investigation did not find any sign that her death was related to mining activity or equipment. The committee members concluded that this case was not chargeable since [REDACTED] death was not related to mining activity and she was not employed as an employee of the operator or as a contractor. Additionally, she was not an authorized visitor to the site and her death was believed to be a result of foul play.

cc: Joseph A. Main  
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