

U.S. Department of Labor

Mine Safety and Health Administration
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OCT 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-63 [REDACTED]

Deceased: [REDACTED]

Date of Incident: December 08, 2009 Date of Death: December 08, 2009

Operator: Eastern Associated Coal, LLC. Mine: Harris No. 1 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. [REDACTED], a 60 year old chief electrician, was supervising repairs being made to a continuous mining machine when he collapsed. The MSHA investigation found that the deceased had not complained previously of any health problems and had just arrived on the section when he collapsed. CPR was performed on site but [REDACTED] was pronounced dead at a local hospital. An inspection of the area found no signs of physical or environmental hazards.

The death certificate indicated that the manner of death was natural and that the cause of death was an acute myocardial infarction secondary to tobacco abuse and dyslipidemia. No autopsy was performed. Based on the results of the MSHA investigation and the Death Certificate, the committee members concluded that [REDACTED] died from natural causes and that his death should not be charged to the mining industry.

cc: Joseph A. Main
Gregory R. Wagner, M.D.
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