



SEP 09 2011

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

FROM:

DENNIS RAYMOND *Dennis Raymond*  
Acting Chief, Program Policy Evaluation Office

HEIDI W. STRASSLER *Heidi W. Strassler*  
Associate Solicitor for Mine Safety and Health

JEFFREY A. DUNCAN  
Director for Educational Policy and Development

LINDA F. ZEILER *George H. Sanderson / for*  
Acting Director of Technical Support

NANCY M. SAHAKIAN, M.D.  
Senior Program Management Consultant, Clinical Operations,  
Federal Occupational Health Service, United States Public  
Health Service *Nancy Sahakian*

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2011-C-04 [REDACTED]

Deceased: [REDACTED]

Date of Incident: January 20, 2011

Date of Death: January 20, 2011

Operator: Cumberland River Coal  
Company

Mine: Band Mill 2 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 scoop operator, was waiting for rockdust to be loaded into the bucket of the scoop. After the bucket was loaded, the deceased walked back to the scoop. A co-worker found him unresponsive and slumped over in the scoop. Employees began CPR and he was transported to a local hospital by emergency response personnel. He was pronounced dead shortly after.

The death certificate indicated that the manner of death was natural and was due to a myocardial infarction. No autopsy was performed. An inspection of the area found no physical hazards or environmental factors that may have contributed to his death.

Based on the finding of the death certificate and the results of MSHA's investigation, 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.  
Patricia W. Silvey