

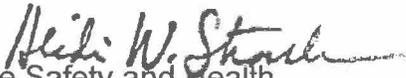


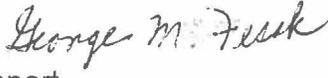
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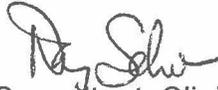
MEMORANDUM FOR KEVIN G. STRICKLIN
Administrator for Coal
Mine Safety and Health

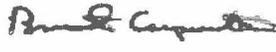
FROM:

JEFFREY A. DUNCAN 
Committee Chair
Director for Educational Policy and Development

HEIDI W. STRASSLER 
Associate Solicitor for Mine Safety and Health

GEORGE M. FESAK 
Director of Technical Support

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Senior Program Management Consultant, Clinical Operations,
Federal Occupational Health Service, United States Public
Health Service

BRENT A. CARPENTER 
Chief, Office Program Policy Evaluation

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2010-C-45 

Deceased: 

Date of Incident: August 16, 2010

Date of Death: August 16, 2010

Operator: Michael Coal Company

Mine: Branchdale Site

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 70 year old front-end loader operator, was found leaning back unresponsive in the seat of a front-end loader. The loader was in reverse gear and backed up against a berm. A Co-worker summoned paramedics and CPR was administered. He was transported to a local hospital where he was pronounced dead.

The death certificate indicated that the manner of death was natural and that the death was due to cardiopulmonary arrest. An autopsy was not conducted. An MSHA investigation of the site did not identify any physical or environmental hazards.

Based on the findings of the death certificate and the results of MSHA's investigation, the committee members concluded that [REDACTED] died due to natural causes and that his death should not be charged to the mining industry.

cc: Joseph A. Main
Stephen R. Weatherford
Patricia W. Silvey