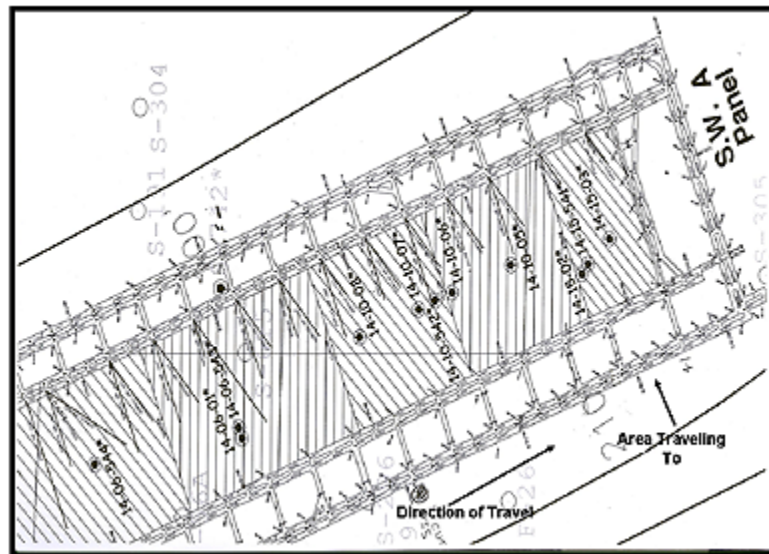




**Fatality #16 - November 23, 2009**  
**Other - Underground - Alabama**  
**Jim Walter Resources Inc - No 7 Mine**

On Monday, November 23, 2009, a mine foreman, accompanied by another miner, was conducting the weekly examination in the tailgate entries of the Southwest A Panel (No. 2 Longwall) bleeder system. When the miners failed to report out of the bleeders, a search began for them. They were found on the tailgate side of the bleeder, one responsive and the other non-responsive. Rescue operations were implemented, but hampered due to environmental conditions. When brought to the surface, the responsive miner was hospitalized and later released. The non-responsive miner, age 53, was brought to the surface and pronounced dead. The investigation is focusing on issues related to the environmental conditions (heat/humidity/atmosphere) found in the bleeder system.



**Best Practices**

- Always remain cognizant of the surrounding conditions in the mine and dress accordingly.
- Do not over exert, especially in areas of high heat and humidity.
- Provide cooling vests when heat stress is a concern.
- Use and maintain the proper air monitoring equipment.
- Ensure that all required examinations are properly conducted.

This is the 16th fatality reported in calendar year 2009 in the coal mining industry. As of this date in 2008, there were 27 fatalities reported in the coal mining industry. This is the 2nd "Other" fatality in 2009. At this time in 2008, there was one fatality in this classification.

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The information provided in this notice is based on preliminary data ONLY and does not represent final determinations regarding the nature of the incident or conclusions regarding the cause of the fatality.

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