



NOV 26 2008

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

FROM: GEORGE M. FESAK *George M. Fesak*
Director, Program Evaluation and Information Resources

EDWARD P. CLAIR *Edward P. Clair*
Associate Solicitor for Mine Safety and Health

JEFFREY A. DUNCAN *Jeffrey A. Duncan*
Director for Educational Policy and Development

MARK E. SKILES *Mark E. Skiles*
Director of Technical Support

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

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: C-2008-19 [REDACTED]

Deceased: [REDACTED]

Date of Incident: 01/24/2008

Date of Death: 01/24/2008

Operator: Triad Underground
Mining, LLC

Mine: Freelandville 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. MSHA's investigation revealed that [REDACTED] was a 51-year old contractor providing cleaning services at the office and bathhouse of the Freelandville Mine. A security guard observed [REDACTED] in the mine office experiencing difficulty breathing. The guard called for emergency medical assistance but [REDACTED] died on the way to the hospital. MSHA's investigators did not find any evidence of electrical or environmental hazards that could have contributed to [REDACTED] death. The Autopsy Report indicates that [REDACTED] death is attributed to a cardiac arrhythmia, secondary to severe atherosclerosis. No precipitating factors were identified.

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

cc: Richard E. Stickler
John Pallasch
Robert M. Friend