

U.S. Department of Labor

Mine Safety and Health Administration
1100 Wilson Boulevard
Arlington, Virginia 22209-3939



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

FROM: KENNETH A. BULLOCK *Kenneth A. Bullock*
Chief, Program Policy Evaluation Office

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

JEFFREY A. DUNCAN *Robert G. Latta for*
Director for Educational Policy and Development

JOHN P. FAINE *John P. Faine 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

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2009-C-64 [REDACTED]

Deceased: [REDACTED]

Date of Incident: December 21,
2009

Date of Death: December 21, 2009

Operator: AMFIRE Mining Co.

Mine: Nolo 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 [REDACTED] scoop operator, was left by a coworker to disconnect his battery scoop from the charger and to bring roof bolting supplies to the section where the crew was working. When he did not arrive with the supplies, a coworker was sent to find him. He was discovered unconscious on the mine floor. Efforts were made to revive [REDACTED] and he was immediately transported to the surface. The coroner pronounced him dead at the scene.

The MSHA investigation found no evidence of physical hazards or environmental issues that could have caused his death. The charging station, electrical currents and the battery scoop were thoroughly examined. It was concluded that electrical shock did not contribute to his death. Both the autopsy report and death certificate indicate that the cause of death was acute myocarditis with atherosclerotic coronary heart disease as a contributory cause. The manner of death was reported as natural on the death certificate.

Based on the death certificate, the autopsy report 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.
Robert L. Phillips