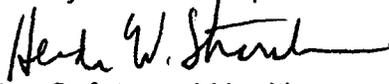


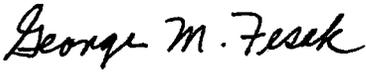


NOV 26 2012

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

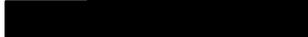
GEORGE M FESAK   
Director of Technical Support

NANCY M. SAHAKIAN, M.D.   
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.: 2011-C-30 

Deceased: 

Date of Incident: September 01,  
2011

Date of Death: September 01, 2011

Operator: Honey Hole, LLC.

Mine: Honey Hole, LLC Mine

Contractor: Ben Hatmaker Trucking

Decision: Not chargeable

In a unanimous decision, the Fatality Review Committee has determined that the death of ██████████ should not be charged to the mining industry. ██████████, a 59 year old contract truck driver, picked up a load of coal at the mine and had it weighed. He then entered the scale house where he sat down and then lost consciousness. Co-workers administered CPR. Emergency response personnel were summoned and 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 cause of death was myocardial infarction. An autopsy was not performed. The MSHA investigation did not identify any environmental or physical hazards at the mine site.

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

cc: Joseph A. Main  
Patricia W. Silvey