



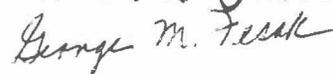
DEC 20 2012

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.: 2012-C-05 

Deceased: 

Date of Incident: March 21, 2012

Date of Death: March 21, 2012

Operator: Guest Mountain Mining Corporation

Mine: Phillips Rider No. 1 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 56 year old section foreman, attended an underground safety meeting and walked from the No. 2 entry to the 001 Section Power Center at the No. 4 entry. He called for assistance and a co-worker found him sitting on a mantrip holding his chest. An ambulance was called and oxygen was administered. He was transported to the mine surface and then by ambulance to a local hospital. He was pronounced dead shortly thereafter.

The death certificate indicated that the cause of death was cardiac arrest. An autopsy was not performed. An MSHA inspection did not find any environmental or physical hazards at the scene which may have contributed to his death.

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

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