

U.S. Department of Labor

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

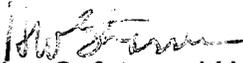


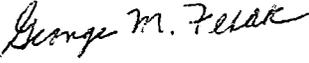
DEC 19 2013

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

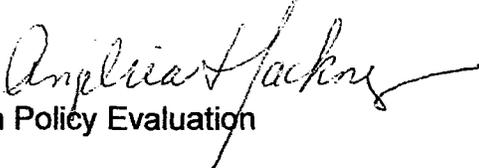
FROM:

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

ANGELICA HACKNEY   
Chief, Office of Program Policy Evaluation

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2012-C-36-

Deceased: 

Date of Incident: August 12, 2012

Date of Death: September 02, 2012

Operator: Big Run Mining, Inc.

Mine: KY No.5 Mine

Contractor: Turner Trucking  
Company, Inc.

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 57 year old contract truck driver, was hauling coal when he was found unresponsive and slumped over the steering wheel of his truck along a section of mine haul road.

The death certificate indicated that the manner of death was natural and that the cause of death was an intracerebral pontine hemorrhage with diabetes mellitus as a contributing condition. No physical or environmental hazards were identified during the MSHA investigation.

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

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