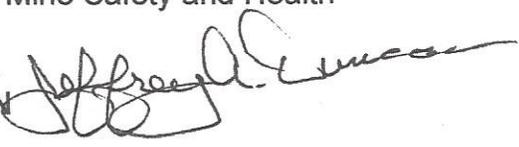




JUL 27 2016

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

FROM: JEFFREY A. DUNCAN 
Committee Chair
Director for Educational Policy and Development

SUBJECT: Chargeability Review Committee Decision

Case No.: 

Deceased: 

Date of Incident: November 17, 2015

Date of Death: November 17, 2015

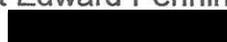
Operator: Nine Mile Mining, Inc.

Mine: Nine Mile #1

Autopsy Conducted: No

Death Certificate Released:
December 9, 2016

Decision: Not chargeable

I have reviewed the investigative report in the death of Scott Edward Pennington and determined it should not be charged to the mining industry.  a 57 year old surface utility miner, was loading plastic water pipe onto a utility trailer with a co-worker when he complained of pain in his chest. He sat down to rest for a few minutes but when he stood up again he collapsed. Emergency personnel arrived and applied a defibrillator. Vital signs were not detected. The deceased was transported to the hospital where he was pronounced dead.

The death certificate indicated that the cause of death was "cardiac arrest due to diabetes mellitus insulin dependent and hypertension." The manner of death was natural. No autopsy was performed. MSHA's investigation did not identify any environmental or physical factors that could have contributed to the death.

Based on the death certificate and MSHA's investigation, I have determined that the death of [REDACTED] was not due to mine related work activities and should not be charged to the mining industry.

cc: Joseph A. Main
Patricia W. Silvey
Laura V. McClintock