



FEB 01 2010

MEMORANDUM FOR KEVIN G. STRICKLIN
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Mine Safety and Health

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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2009-C-33 [REDACTED]

Deceased: [REDACTED]

Date of Incident: August 09, 2009

Date of Death: August 10, 2009

Operator : Marfork Coal Company

Mine: Slip Ridge Cedar Grove 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 31 year old security guard, was found unconscious by the side of a road near his duty area. As he was being attended to, [REDACTED] regained consciousness. He complained of chest pain and vomited. He remained conscious on the way to the hospital but died the next day. He was a diabetic and took insulin. The death certificate indicated that the death was due to natural causes with the immediate cause being a cardiac arrest due to a pulmonary embolism secondary to deep vein thrombosis. No autopsy was performed. The MSHA investigation found no signs of physical or environmental hazards in the work area.

Based on the death certificate and the results of MSHA's investigation, the Fatality Review 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, MD.
Michael A. Davis