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

FROM: KENNETH A. BULLOCK *Kenneth A. Bullock*
Chief, Program Policy Evaluation Office

HEIDI W. STRASSLER *Heidi W. Strassler*
Deputy Associate Solicitor for Mine Safety and Health

JEFFREY A. DUNCAN *Jeffrey A. Duncan*
Director for Educational Policy and Development

LINDA F. ZEILER *Linda F. Zeiler*
Acting Director of Technical Support

NANCY M. SAHAKIAN, MD *Nancy Sahakian*
Senior Program Management Consultant, Clinical Operations,
Federal Occupational Health Service, United States Public
Health Service

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2009-C-34 [REDACTED]

Deceased: [REDACTED]

Date of Incident: August 18, 2009

Date of Death: August 18, 2009

Operator : PBS Coals

Mine: Shade Creek Plant

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], an 82 year old part-time office clerk, became lightheaded as he was working in the office and later died at a local hospital. The deceased had a history of hypertension. The death certificate indicated that the cause of death was natural and was due to cardiorespiratory arrest likely due to a myocardial infarction which was secondary to hypertensive heart disease. No autopsy was performed. The MSHA investigation found no signs of physical or environmental hazards at the worksite.

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