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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-35 [REDACTED]

Deceased: [REDACTED]

Date of Incident: August 17, 2009

Date of Death: August 17, 2009

Operator : B & K Coal, Inc.

Mine: Mine #3

Decision: Not Chargeable

In a unanimous decision, the Fatality Review Committee has determined that the death of ██████████ should not be charged to the mining industry. ██████████, a 37 year old laborer, complained of chest pain while he was shoveling coal. That task was part of his normal work duties. He got a drink of water and returned to his job area. He then began vomiting. A co-worker helped him to the office to rest. The co-worker returned several minutes later to find ██████████ slumped in a chair. He was taken to a local hospital where he later died. The death certificate indicated that the death was due to an acute cardiac event due to uncontrolled hypertension. It was determined that the cause of death was natural. A toxicological screen found evidence of cannabinoids, THC-COOH, opiates, and oxycodone in his blood. No autopsy was performed per request of the family. The MSHA investigation found no evidence of physical or environmental hazards in the work area.

Based on the death certificate, the toxicological screen and on the MSHA investigation findings, the Fatality Review Committee members concluded that ██████████ died from natural causes and that his death should not be charged to the mining industry.

cc: Joseph A. Main
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