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

FROM:

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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2009-C-36 [REDACTED]

Deceased: [REDACTED]

Date of Incident: September 11, 2009

Date of Death: September 11, 2009

Operator : KenAmerican Resources,
Inc.

Mine: Paradise #9 Mine

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 51 year old plant manager, was washing the raw coal feeders when he was found by a co-worker with no pulse. He was transported to a local hospital where he was pronounced dead. An autopsy revealed disease of the heart valves (myxoid degeneration of the mitral valve), enlargement of the muscles of both large chambers of the heart (biventricular hypertrophy), and mild narrowing of the coronary arteries. Toxicological analysis of the blood was negative. The coroner's report and autopsy report indicated that the death was due to natural causes and that the cause of death was hypertensive heart disease. An MSHA inspection of the worksite did not identify any physical or environmental (including electrical) hazards.

Based on the autopsy report, the toxicological screen, the coroner's report and the results of MSHA's investigation, 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
Gregory R. Wagner, M.D.
Michael A. Davis