

U.S. Department of Labor

Mine Safety and Health Administration
1100 Wilson Boulevard
Arlington, Virginia 22209-3939




AUG 24 2011

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

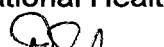
FROM:

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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2010-C-21

Deceased:

Date of Incident: August 09, 2010

Date of Death: August 09, 2010

Operator: Gibson County Coal, LLC

Mine: Gibson Mine

Contractor: Mid-Continental Fuels
Construction, Inc.

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. The deceased, a 56-year old contract construction worker, was assigned to construct a concrete form and install guide stakes to secure the form in preparation for the pouring of concrete.

_____ and a co-worker were installing the guide stakes and the deceased collapsed as he was moving from one stake to another.

MSHA's investigation did not disclose any electrical or environmental hazards which may have contributed to his death. No equipment, electrical lines, cables or electrical installations were found to be in the area. The certificate of death indicated the cause of death to be "acute myocardial infarction".

Based on the findings of the certificate of death and the results of MSHA's investigation, the 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.
Patricia W. Silvey