

**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

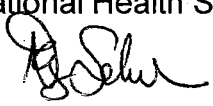
**FROM:**

**DENNIS RAYMOND**   
Acting Chief, Program Policy Evaluation Office

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

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

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

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

**SUBJECT:** Fatality Review Committee Decision on Chargeability

**Case No.:** 2010-C-34 

**Deceased:** 

**Date of Incident:** July 05, 2010

**Date of Death:** July 05, 2010

**Operator:** Hanover Resources, LLC.

**Mine:** Superior Highwall Miner  
67R1000

**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 48 year old security guard, was found by a co-worker slumped over his chair located in the guard house. Emergency crews arrived and [REDACTED] was pronounced dead on the scene.

The MSHA investigation found no physical or environmental hazards at the worksite. The autopsy report indicated that the cause of death was arteriosclerotic coronary artery disease with contributing causes of hypertensive cardiovascular disease and diabetes mellitus. The deceased had a history of hypertension, diabetes mellitus, and a coronary artery stent had been placed 2009. An examination was negative for bodily trauma and the toxicology test results were negative for drugs and alcohol.

Based on the autopsy findings and the results of MSHA's investigation, the 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, M.D.  
Patricia W. Silvey