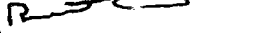



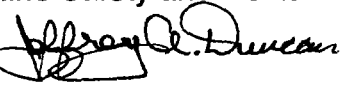


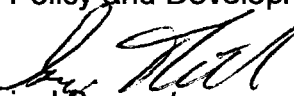
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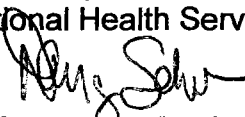
MEMORANDUM FOR KEVIN G. STRICKLIN
Administrator for Coal
Mine Safety and Health

FROM: BRENT A. CARPENTER 
Chief, Office Program Policy Evaluation

HEIDI W. STRASSLER 
Associate Solicitor for Mine Safety and Health

JEFFREY A. DUNCAN 
Director for Educational Policy and Development

GEORGE TRIEBSCH 
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.: 2011-C-40-

Deceased:

Date of Incident: February 06, 2011

Date of Death: February 06, 2011

Operator: Manalapan Mining Co. Inc. Mine: RB #5 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 50 year old night-shift security guard, was found lying in a pool of blood by the day-shift security guard when he arrived at the office trailer to begin his shift.

The death certificate indicated that the cause of death was a perforating gunshot injury to the head. No autopsy was performed. There is a pending investigation to determine whether the injury was due to homicide or suicide. The MSHA investigation did not identify any environmental or physical hazards at the work site that may have contributed to the death.

Based on the findings of the death certificate and the results of MSHA's investigation, the committee members concluded that the death of _____ was not related to mining work activity and that his death should not be charged to the mining industry.

cc: Joseph A. Main
Patricia W. Silvey