

U.S. Department of Labor

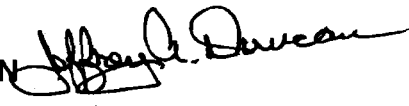
Mine Safety and Health Administration  
1100 Wilson Boulevard  
Arlington, Virginia 22209-3939



NOV 05 2012

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

FROM:

JEFFREY A. DUNCAN   
Committee Chair  
Director for Educational Policy and Development

HEIDI W. STRASSLER   
Associate Solicitor for Mine Safety and Health


for

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

BRENT A. CARPENTER   
Chief, Office Program Policy Evaluation

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2011-C-62 

Deceased: 

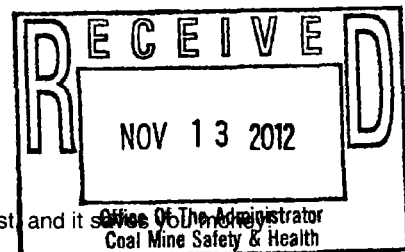
Date of Incident: August 08, 2011

Date of Death: August 08, 2011

Operator: Wilcoal Mining, Inc.

Mine: Tri-State One Mine

Decision: Not chargeable



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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 54 year old roof bolter operator, loaded roof bolting supplies onto the roof bolter and performed roof bolting operations with a co-worker. At the end of his shift he walked to his vehicle to leave the mine property. A foreman discovered him lying behind his vehicle with no pulse or respirations. CPR was begun and emergency response personnel were summoned. On-site resuscitation efforts were continued but he was declared dead at the scene.

The autopsy report indicated that the cause of death was hypertensive and atherosclerotic cardiomyopathy as well as oxycodone intoxication. Oxycodone likely contributed to his death but is not known to have been the sole cause of his death. An MSHA investigation, including an electrical inspection of the roof bolter did not identify any physical or environmental hazards that could have contributed to the death.

Based on the findings of the autopsy report and on the results of the MSHA 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  
Patricia W. Silvey