



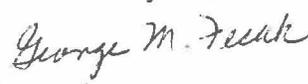
DEC 20 2012

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

FROM:

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Committee Chair  
Director for Educational Policy and Development

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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2012-C-04 

Deceased: 

Date of Incident: April 24, 2012

Date of Death: April 24, 2012

Operator: Frasure Creek Mining, LLC. Mine: Surface Mine No. 7

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 37 year old trespasser, was electrocuted while attempting to steal copper wire from a high voltage utility pole. His wife witnessed the incident.

The death certificate indicated that the manner of death was accidental and that the cause of death was high-voltage electrocution. The MSHA investigation found that [REDACTED] was not authorized to be on mine property. It was determined that he was not performing mine related work activities nor was his death caused by mining activities or equipment.

Based on the findings of the death certificate and the results of MSHA's investigation, the committee members concluded that the death of [REDACTED] should not be charged to the mining industry.

cc: Joseph A. Main  
Stephen R. Weatherford  
Patricia W. Silvey