

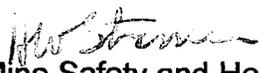


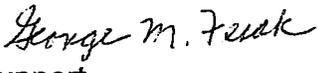
DEC 19 2013

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

GEORGE M. FESAK 
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Senior Program Management Consultant, Clinical Operations,
Federal Occupational Health Service, United States Public
Health Service

ANGELICA HACKNEY 
Chief, Office of Program Policy Evaluation

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2012-C-37-

Deceased: 

Date of Incident: September 08, 2012

Date of Death: September 08, 2012

Operator: Nally & Hamilton
Enterprises, Inc.

Mine: Chestnut Flats

Contractor: All American Security

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 50 year old contractor security guard, was found by a co-worker slumped over and pulseless in his car. He was pronounced dead at the scene by the coroner.

The death certificate indicated that the manner of death was natural and that the cause of death was an acute myocardial infarction with COPD and hypertension as contributory causes. An autopsy was not performed. The MSHA investigation did not identify any environmental or physical hazards at the mine site.

Based on the findings of the death certificate and the MSHA investigation, the committee members concluded that [REDACTED] died due to natural causes and that his death should not be charged to the mining industry.

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