



JUL 09 2014

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

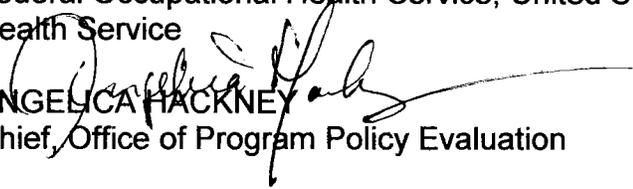
FROM:

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

HEIDI W. STRASSLER 
Associate Solicitor for Mine Safety and Health

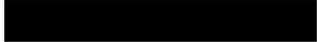
GEORGE M. FESAK 
Director of Technical Support

NANCY M. SAHAKIAN, M.D. 
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.: 2013-C-09-

Deceased: 

Date of Incident: January 08, 2013

Date of Death: January 08, 2013

Operator: Coal Clean, LLC.

Mine: Wet Branch Prep Plant

Contractor: Black Thunder, Inc.

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 43 year old electrical contractor, was working on a project to replace electrical conduit on the mine refuse belt. Co-workers realized that they had not seen him for some time and conducted a search. He was found unresponsive in a bathroom with the door locked from the inside. Mine personnel performed CPR and he was transported to a local hospital where he was pronounced dead.

The death certificate indicated that the manner of death was accidental and that the cause of death was combined fentanyl, chlorpheniramine and ibuprofen intoxication. Drug paraphernalia were found on the floor of the bathroom. The MSHA investigation did not identify any contributory environmental or physical hazards at the mine.

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

cc: Joseph A. Main
Patricia W. Silvey
Douglas L. Parker