



JUL 01 2008

MEMORANDUM FOR FELIX A. QUINTANA

Administrator for Metal and
Nonmetal Mine Safety and Health

FROM:

for
GEORGE M. FESAK *George M. Fesak*
Director, Program Evaluation and Information Resources

ALFRED B. BROOKS *Alfred B. Brooks*
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EDWARD P. CLAIR *Edward P. Clair*
Associate Solicitor for Mine Safety and Health

JEFFREY A. DUNCAN *Jeffrey A. Duncan*
Director for Educational Policy and Development

MARK E. SKILES *Mark E. Skiles*
Director of Technical Support

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: M-2007-70 [REDACTED]

Deceased: [REDACTED]

Date of Incident: November 28, 2007

Date of Death: November 28, 2007

Operator: United Taconite, LLC

Mine: United Mine

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. According to MSHA's investigation, [REDACTED], age 56, was employed as a shift coordinator at the United Mine. A co-worker observed the deceased lying face down outside the mine

office about 15 minutes before the beginning of his shift. The autopsy report concludes that: "██████████ died as a result of coronary artery atherosclerosis. It probably resulted in arrhythmia resulting in pulmonary congestion and mild hepatic and splenic congestion." The death certificate indicates that the manner of death was natural. Based on the Autopsy Report and the results of MSHA's investigation, the committee members concluded that ██████████ died from natural causes and his death should not be charged to the mining industry.

cc: Richard E. Stickler
John Pallasch
Robert M. Friend