



MAY 20 2014

MEMORANDUM FOR MARVIN D. LICHTENFELS  
Acting Administrator for Metal and  
Nonmetal 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-M-23-

Deceased: 

Date of Incident: April 24, 2013

Date of Death: April 24, 2013

Operator: Winn Rock, LLC.

Mine: Winn Rock, LLC.

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. Mr. [REDACTED], an 80 year old haul truck driver, was riding in a company truck with a co-worker to pick up a welding trailer. The co-worker got out of the truck to unhook the welding trailer from another vehicle. When he got back in the pickup, he found Mr. [REDACTED] unresponsive in the passenger seat. CPR was administered and emergency response personnel were called to the site. He was transported to a local hospital where he was later pronounced dead.

The death certificate indicated that the victim died of natural causes. The death certificate and autopsy report both indicated that the cause of death was 100% occlusion of the left anterior descending coronary artery leading to cardiac arrest. The toxicology screen was negative.

Based on the findings of the death certificate, the autopsy report and the MSHA Investigation, the committee members concluded that Mr. [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  
Douglas L. Parker