



JUL 09 2014


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

FROM:

JEFFREY A. DUNCAN 
Committee Chair
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Associate Solicitor for Mine Safety and Health

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ANGELICA HACKNEY 
Chief, Office of Program Policy Evaluation

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2013-C-04-

Deceased: 

Date of Incident: February 11, 2013

Date of Death: February 17, 2013

Operator: Excel Mining, LLC.

Mine: Mine No. 3

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] a 64 year old crew leader, completed welding on a continuous mining machine but was unable to stand up. Co-workers indicated that he had slurred speech, difficulty breathing and appeared to be having a seizure. Shortly after, he lost consciousness and was unresponsive. He was transported to a local hospital where he died six days later.

The death certificate indicated that the manner of death was natural and that the cause of death was a brainstem hemorrhage with contributory causes being hypertensive emergency and acute respiratory failure. An autopsy was not performed. The MSHA investigation failed to identify any contributory physical or environmental hazards.

Based on the findings of the death certificate 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