

U.S. Department of Labor

Mine Safety and Health Administration
1100 Wilson Boulevard
Arlington, Virginia 22209-3939

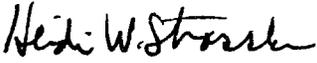


FEB 13 2015

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

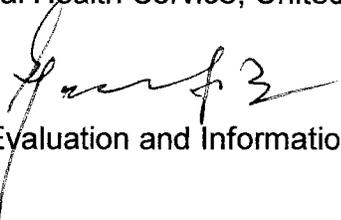
FROM:

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

HEIDI W. STRASSLER 
Associate Solicitor for Mine Safety and Health

WILLIAM J. FRANCAERT 
Acting Director of Technical Support

NANCY M. SAHAKIAN, M.D. 
Senior Program Management Consultant, Clinical Operations,
Federal Occupational Health Service, United States Public
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SYED HAFEEZ 
Director, Program Evaluation and Information

SUBJECT: Chargeability Review Committee Decision

Case No.: 2013-C-52 

Deceased: 

Date of Incident: May 4, 2013

Date of Death: May 4, 2013

Operator: Hobet Mining, LLC.

Mine: Hobet 21 Surface Mine

Decision: Not chargeable

In a unanimous decision, the Chargeability Review Committee has determined that the death of ██████████ ██████ should not be charged to the mining industry. ██████████ a 27 year old trespasser, was found by two hunters in a reclaimed area of the mine. He was declared dead at the scene by medical personnel.

The death certificate indicated that the manner of death was suicide due to intentional over-ingestion of non-prescribed pharmaceuticals (alprazolam, gabapentin, tramadol and hydrocodone.) The MSHA investigation found that ██████████ was not an employee of the mine or contractor for the mine operator. It was determined that he was a trespasser not authorized to be on the mine site at the time of his death. The inspection failed to identify any contributory environmental or physical hazards at the site.

Based on the findings of the death certificate and the MSHA investigation, the committee members concluded that ██████████ was not performing mine related work activities nor was his death caused by mining activities or equipment. The committee determined that his death should not be charged to the mining industry.

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