

U.S. Department of Labor

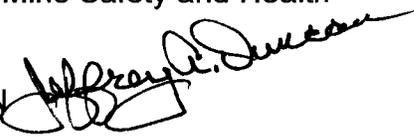
Mine Safety and Health Administration
201 12th Street South
Arlington, Virginia 22202-5452



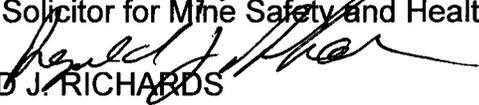
OCT 02 2015

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

FROM:

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

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Federal Occupational Health
Program Support Center
U.S. Department of Health & Human Services

SYED HAFEEZ 
Director, Program Evaluation and Information Resources

SUBJECT: Chargeability Review Committee Decision

Case No.: 2013-C-61-

Deceased: 

Date of Incident: March 06, 2013

Date of Death: March 25, 2013

Operator: Paramount Coal Company
Virginia, LLC.

Mine: Deep Mine #41

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 44-year old shuttle car operator, struck his head on the canopy of the shuttle car on March 6, 2013 and afterward reported numbness in his right arm and leg.

On March 18, 2013, ██████████ went to the emergency room complaining of weakness in his right arm and leg, and he attributed these symptoms to occupational injury. However, various diagnostic tests indicated a brain mass and other abnormalities, and ██████████ was transferred to a different medical facility for further evaluation and treatment. An MRI revealed a brain meningioma (tumor). On March 21, 2013, ██████████ underwent an operation to remove the meningioma, but became comatose in recovery following surgery. A subsequent CT scan revealed an epidural hematoma — bleeding between the inside of the skull and the outer covering of the brain — and two surgeries were conducted to evacuate the hematoma. Concurrently, coagulopathy — which is impairment of the blood to clot and a cause of excessive bleeding — was diagnosed and was related to ██████████ prior consumption of a product containing aspirin.

Despite the surgical procedures, by March 23, 2013, ██████████ demonstrated no intracranial blood flow consistent with brain death. His family did not allow the termination of life support however, and the date of death noted on his death certificate is March 26, 2013.

The death certificate lists the manner of death as natural, and the immediate causes of death as brain death, epidural hematoma, meningioma, and aspirin side effect. Based on these findings, the committee concluded that ██████████ death was a result of natural causes and should not be charged to the mining industry.

Finally, it should be noted that the Agency did not become aware of ██████████ death until a Part 50 audit began at Deep Mine #41 on June 29, 2015. At that point, a thorough investigation was conducted regarding the circumstances of ██████████ death. After the investigation, on August 25, 2015, the Administrator for Coal, Mine Safety and Health referred the decision on chargeability to the Chargeability Review Committee.

cc: Joseph A. Main
Patricia W. Silvey
Laura V. McClintock