

U.S. Department of Labor

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

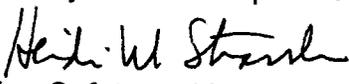


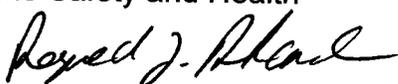
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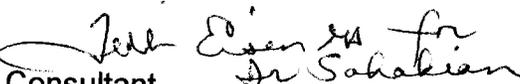
MEMORANDUM FOR KEVIN G. STRICKLIN
Administrator for Coal, Mine Safety and Health

FROM:

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

HEIDI W. STRASSLER 
Associate Solicitor for Mine Safety and Health

TIMOTHY R. WATKINS 
Acting Director of Technical Support

NANCY M. SAHAKIAN, M.D. 
Senior Program Management Consultant
Clinical Operations, Federal Occupational Health Service United
States Public Health Service

SYED HAFEEZ 
Director, Program Evaluation and Information Resources

SUBJECT: Chargeability Review Committee Decision

Case No.: 2014-C-63-

Deceased: 

Date of Incident: November 15, 2014

Date of Death: November 16, 2014

Operator: Peabody Western Coal
Company

Mine: Kayenta Mine

Decision: Not chargeable

In a unanimous decision, the Chargeability Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. [REDACTED] a 71- year old shepherd, was tending her flock when she became disoriented during a snow storm. Her body was found under an overhanging rock ledge located in a non-active mining area.

The death certificate indicates that the manner of death was accidental and that the cause of death was hypothermia due to exposure. An autopsy was not performed.

Based on these findings, the committee concludes that [REDACTED] was trespassing on mine property when she died accidentally from hypothermia. Therefore her death should not be charged to the mining industry.

cc: Joseph A. Main
Patricia W. Silvey