


**U.S. Department of Labor**

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



**JUN 17 2016**

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

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

**SUBJECT:** **Chargeability Review Committee Decision**

**Case No.:** 2015-C-46- [REDACTED]

**Deceased:** [REDACTED]

**Date of Incident:** December 4, 2015

**Date of Death:** December 4, 2015

**Operator:** Rockwell Mining, LLC.

**Mine:** Eagle #3 Mine

**Autopsy Conducted:** No

**Death Certificate Released:** January  
7, 2016

**Decision:** Not chargeable

I have reviewed the investigative report in the death of [REDACTED] and determined it should not be charged to the mining industry. [REDACTED] a 56 year old mine superintendent, was walking on a grass covered road to a fill area. He was found unresponsive, lying on the ground by two other miners. He was not breathing and did not have a pulse. He was treated by EMT's at the mine and by ambulance paramedics who transported him to the hospital where he was pronounced dead.

The death certificate lists the immediate cause of death as myocardial infarction due to consequences of coronary artery disease and type II diabetes". Manner of death was natural. No autopsy was performed. MSHA's investigation did not identify any environmental or physical factors that could have contributed to the death.

Based on the death certificate and MSHA's investigation, I have determined that the death of [REDACTED] was not due to mine related work activities and should not be charged to the mining industry.

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