

U.S. Department of Labor

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



JUL 07 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

A handwritten signature in black ink, appearing to read "Jeffrey A. Duncan", written over the printed name.

SUBJECT: Chargeability Review Decision

Case No.: 2015-C-47- [REDACTED]

Deceased: [REDACTED]

Date of Incident: December 6, 2015

Date of Death: December 6, 2015

Operator: A & G Coal Corporation

Mine: Sawmill Hollow #1 Mine

Autopsy Conducted: No

Death Certificate Released: March 15, 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 46 year old surface utility miner, arrived at the mine site to begin work but indicated to his supervisor that he felt extreme pain in his upper right leg. The foreman told Mr. Brock to remain in his vehicle while he assigned work to the other employees. When he returned he found [REDACTED] unconscious. Employees began CPR and he was treated by EMT's at the mine. He was transported to a local hospital where he was pronounced dead.

The death certificate lists the immediate cause of death as atherosclerotic cardiovascular disease. The 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