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MEMORANDUM FOR: TIMOTHY WATKINS  
Deputy Administrator for  
Coal Mine Safety and Health

FROM: JEFFREY A. DUNCAN [REDACTED]  
Committee Chair  
Director for Educational Policy and Development

SUBJECT: Chargeability Review Decision

**Case No.:** 2017-C-25 [REDACTED]

**Deceased:** [REDACTED]

**Date of Incident:** June 1, 2017

**Date of Death:** June 1, 2017

**Operator:** Txoma Mining LLC

**Mine:** P8 North Mine  
MSHA ID 34-02080

**Contractor:** N/A

**Autopsy Conducted:** No

**Death Certificate Certified:** July 6,  
2017:

**Death Certificate Received by  
MSHA:** November 21, 2017

**Decision:** Not Chargeable

I reviewed the investigative report in the death of [REDACTED] and determined it should not be charged to the mining industry. Mr. [REDACTED], a 64-year-old electrician, was working on a slip and sequence box at the mine's seventh conveyor belt when he suddenly collapsed and became unresponsive. He was evacuated to the surface and turned over to emergency medical technicians (EMT). The EMTs determined that Mr. [REDACTED] did not have a heartbeat. He was transported to the office of the Chief Medical Examiner where he was pronounced dead.

The medical examiner performed an external examination of the body, did not find evidence of significant external injury, and stated that the probable cause of death was hypertensive atherosclerotic cardiovascular disease. In addition, the medical examiner stated that diabetes mellitus, and obesity were significant conditions contributing to the death. The death certificate states that the manner of death was

natural, and that the immediate cause of death was hypertensive atherosclerotic cardiovascular disease. The MSHA investigation did not reveal any environmental or physical conditions that contributed to the death.

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

cc: Patricia W. Silvey  
Kevin G. Stricklin  
Sheila A. McConnell  
Marcus A. Smith