



DEC 12 2017

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-39 [REDACTED]	Deceased: [REDACTED]
Date of Incident: September 29, 2017	Date of Death: September 29, 2017
Operator: Blue Diamond Coal Company	Mine: Calvary No.81 MSHA ID 15-12753
Contractor: N/A	
Autopsy Conducted: No	Death Certificate Issued: October 27, 2017
Decision: Not Chargeable	Death Certificate Received by MSHA: November 7, 2017

I reviewed the investigative report in the death of [REDACTED] and determined it should not be charged to the mining industry. Mr. [REDACTED], a 45-year-old belt maintenance worker, was found by a mine foreman lying on the track rail travelway unconscious, without a pulse, and with vomit coming from his mouth. The foreman performed cardiopulmonary resuscitation and brought Mr. [REDACTED] to the surface, where a mine safety employee applied an automated external defibrillator. EMS arrived and also treated Mr. [REDACTED] however, he could not be resuscitated. EMS contacted the county deputy coroner, who pronounced Mr. [REDACTED] dead.

The death certificate states that the manner of death was natural, and the immediate cause of death was myocardial infarction. The death certificate also lists hypertension as a condition contributing to the death. The MSHA investigation did not reveal any environmental or physical conditions that contributed to the death.

Based on the 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
David G.Zatezalo
Wayne D.Palmer
Marcus A. Smith