



JUN 13 2018

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-41-[REDACTED]

Deceased: [REDACTED]

Date of Incident: July 15, 2017

Date of Death: July 15, 2017

Operator: ICG Beckley LLC

Mine: Beckley Pocahontas Mine
MSHA ID 46-05252

Contractor: N/A

Autopsy Conducted: No

Death Certificate Received by
MSHA: August 2, 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 58-year-old fire boss, was pronounced dead on July 15, 2017 shortly after transport to the emergency room at Raleigh General Hospital. Previously, on July 12, 2017, Mr. [REDACTED] had undergone surgery at Raleigh General Hospital to repair a work related inguinal hernia.

An autopsy was not conducted. However, the medical examiner performed an external examination and completed the death certificate for Mr. [REDACTED]. The death certificate states that the manner of death was natural, and that hypertensive cardiovascular disease was a significant condition contributing to the death. The medical examiner noted in his investigation report that a short time prior to his death Mr. [REDACTED] had complained of chest and back pain. In addition, in his report the medical examiner referenced Mr. [REDACTED] prior inguinal hernia surgery, but did not conclude that the surgery contributed to the death. MSHA also obtained and reviewed Mr. [REDACTED] surgical, emergency, and other hospital records. These records did not show evidence that there were complications related to Mr. [REDACTED]

hernia surgery, or that the hernia surgery contributed to his death.

Based on the death certificate, medical examiner's report, and hospital records the death of Mr. [REDACTED] cannot be attributed 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