



JAN 10 2018

MEMORANDUM FOR: TIMOTHY WATKINS

Deputy Administrator for
Coal Mine Safety and Health

FROM:

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

SUBJECT:

Chargeability Review Decision

Case No.: 2017-C-38

Deceased:

Date of Incident: September 15, 2017

Date of Death: September 15, 2017

Operator: Lehigh Anthracite Coal LLC

Mine: Tamaqua Mine
MSHA ID 36-01761

Contractor: N/A

Autopsy Conducted: No

**Death Certificate Received by
MSHA:** September 28, 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 49-year-old front-end loader operator, was discovered slumped over in his loader cab. 911 was called, miners performed cardiopulmonary resuscitation, and a responding police officer applied an automated external defibrillator. Mr. [REDACTED] was also treated by responding paramedics and at the hospital emergency room. However, he could not be resuscitated, and was pronounced dead.

The death certificate states that the manner of death was natural, and the immediate cause of death was acute myocardial infarction. The death certificate lists coronary artery disease and hypertensive-cardiovascular disease as underlying causes of death, and chronic obstructive pulmonary disease as a significant condition contributing to the death. An autopsy was not conducted. However, a virtual scan of Mr. [REDACTED] body was performed by the Office of the Coroner which revealed evidence of the acute myocardial infarction. 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