

U.S. Department of Labor

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



JUN 07 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.: 2018-C-06-[REDACTED]

Deceased: [REDACTED]

Date of Incident: April 12, 2018

Date of Death: April 12, 2018

Operator: Hubble Mining Company, LLC

Mine: No. D-5A Mine
MSHA ID 1519260

Contractor: N/A

Autopsy Conducted: Yes

Death Certificate Certified: April 27,
2018

**Autopsy Report Received by
MSHA:** May 2, 2018

**Death Certificate Received by
MSHA:** May 2, 2018

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 52-year-old underground conveyor belt maintenance worker, was discovered by a miner lying on the mine floor. Miners, including a mine emergency technician, examined Mr. [REDACTED] and did not find signs of life. The mine superintendent called 911, MSHA, and State officials to inform them of the death. Mr. [REDACTED] was officially pronounced dead at the mine by the deputy county coroner.

The death certificate states that the manner of death was natural, and both the death certificate and autopsy report state that the cause of death was atherosclerotic cardiovascular disease. The MSHA investigation did not reveal any environmental or physical conditions that contributed to the death.

Based on the autopsy, 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