



JUN 28 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.: 2018-C-09

Deceased:

Date of Incident: March 20, 2018

Date of Death: March 20, 2018

Operator: CS&S Coal Corporation

Mine: Center Creek Mine
MSHA ID 1519094

Contractor: N/A

Autopsy Conducted: Yes

Death Certificate Certified: May 10,
2018

**Autopsy Report Received by
MSHA:** May 10, 2018

**Death Certificate Received by
MSHA:** May 15, 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 58-year-old underground shuttle car operator, informed co-workers he was not feeling well on the day of the incident. Later in the shift he was found gasping for air and unresponsive in operator's compartment of the shuttle car. Miners examined Mr. [REDACTED], but were only able to detect a weak and erratic pulse. Miners called for an ambulance and began cardiopulmonary resuscitation (CPR). Mr. [REDACTED] was transported to the surface while CPR was continued. Once on the surface, ambulance crew members placed a heart monitor on Mr. [REDACTED]; however, no activity was detected. Mr. [REDACTED] was officially pronounced dead at the mine by the deputy county coroner.

The death certificate indicates that the manner of death was natural, and both the death certificate and autopsy report state that the cause of death was atherosclerotic and hypertensive cardiovascular disease and obesity is a significant condition contributing to the death. 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