

**U.S. Department of Labor**

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



OCT 04 2018

**MEMORANDUM FOR: TIMOTHY WATKINS**

Deputy Administrator for  
Coal Mine Safety and Health

**FROM:**

**KEVIN BURNS**

Acting Committee Chair  
Acting Deputy Director for Educational Policy  
and Development

**SUBJECT:**

Chargeability Review Decision

**Case No.:** 2018-C-16-

**Deceased:**

**Date of Incident:** August 2, 2018

**Date of Death:** August 4, 2018

**Operator:** Vigo Coal Operating Company,  
LLC

**Mine:** Friendsville Mine  
Mine ID 11-03064

**Contractor:** N/A

**Autopsy Conducted:** Yes

**Death Certificate Certified:** August  
24, 2018

**Date of Autopsy:** August 6, 2018

**Decision:** Not Chargeable

**Autopsy and Death Certificate  
Received by MSHA:** September 6,  
2018

I reviewed the investigative report in the death of [REDACTED] and determined it should not be charged to the mining industry. Mr. [REDACTED], age 52, was a loader operator. On August 2, 2018 after Mr. [REDACTED] shift had ended, a miner heard a vehicle horn sounding and went to the parking lot to investigate. He found Mr. [REDACTED] in his personal vehicle slumped over the steering wheel. Mr. [REDACTED] was holding his lower chest and upper stomach area. His supervisor transported him to a local hospital, and later that evening Mr. [REDACTED] was transported by ambulance to a second hospital where he died on August 4, 2018.

The death certificate states that the manner of death was natural, and the immediate cause of death was complications of acute hemorrhaging pancreatitis. The autopsy is consistent with the death certificate. The MSHA investigation did not reveal any environmental or physical conditions that contributed to the death.

Based on the death certificate, autopsy, 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 Smith