

U.S. Department of Labor

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



APR 19 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-41-

Deceased:

Date of Incident: August 30, 2017

Date of Death: August 30, 2017

Operator: RJC Kohl Inc.

Mine: Solomon Run Mine
MSHA ID 36-09886

Contractor: N/A

Autopsy Conducted: Yes

Death Certificate Registered:
September 02, 2017

Decision: Not Chargeable

**Death Certificate Received by
MSHA:** April 9, 2018

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 rock truck operator, failed to respond to radio contact and was discovered by a co-worker unresponsive in his rock truck. The co-worker performed chest compressions until relieved by emergency responders. However, Mr. [REDACTED] could not be resuscitated, and was pronounced dead at the mine by the county coroner.

The death certificate states that the manner of death was natural, and the immediate cause of death was acute myocardial infarction as a consequence of coronary thrombosis. An autopsy was requested by the MSHA investigator, but not provided by the county coroner. The MSHA investigation did not reveal any environmental or physical conditions that contributed to the death.

You can now file your MSHA forms online at www.MSHA.gov. It's easy, it's fast, and it saves you money!

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