



JAN 27 2009

MEMORANDUM FOR KEVIN G. STRICKLIN
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Mine Safety and Health

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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: C-2008-41 [REDACTED]

Deceased: [REDACTED]

Date of Incident: July 26, 2008

Date of Death: July 26, 2008

Operator: Thunder Basin Coal
Company, LLC

Mine: Black Thunder Mine

Contractor: Wyoming Machinery
Company

Decision: Not Chargeable

In a unanimous decision, the Fatality Review Committee has determined that the death of ██████ should not be charged to the mining industry. MSHA's investigation revealed that ██████ was a mechanic for Wyoming Machinery Company, a contracting company that was performing work at the Black Thunder Mine. ██████ had finished working on an electrical problem on a haulage truck and was sitting in his pickup truck when he became ill. He called a co-worker by radio and asked for assistance. A mine employee transported ██████ to a first aid station. From there, he was transported by ambulance to a hospital in Gillette, Wyoming, where he was pronounced dead. MSHA investigators determined that at the time he became ill ██████ was not working with or in contact with any electrical equipment. The electrical problem ██████ had worked on was an 8-volt circuit that did not pose a hazard to ██████. The Coroner's Report indicated that the cause of death was fatal cardiac arrhythmia secondary to occlusive coronary artery atherosclerosis and prior myocardial infarction.

Based on the Coroner's Report and the results of MSHA's investigation, the committee members concluded that ██████ died from natural causes and his death should not be charged to the mining industry.

cc: Richard E. Stickler
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