



**JUN 18 2008**

MEMORANDUM FOR FELIX A. QUINTANA  
Administrator for Metal and  
Nonmetal Mine Safety and Health

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for Director of Technical Support

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: M-2007-60 [REDACTED] Deceased: [REDACTED]

Date of Incident: December 04, 2007 Date of Death: December 04, 2007

Operator: Sherwin Alumina Co. Mine: Sherwin Alumina Company

Decision: Not Chargeable

In a unanimous decision, the Fatality Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. MSHA's accident investigation revealed that [REDACTED], age 61, was an industrial hygiene technician employed at the Sherwin Alumina Company plant. [REDACTED] collapsed after he had

climbed to the top of the #8 evaporator tank where he had intended to perform air quality testing so that welders could work in the confined space of the tank. [REDACTED] climb consisted of 50 stair steps for a total of 40 feet vertically and then a 6-foot ladder. Climbing to this location was part of [REDACTED] normal work duties. In addition, [REDACTED] passed out on a walk with his wife 2 weeks prior to his death. MSHA's investigation did not reveal any toxic gases or oxygen deficiency in the area. The Certificate of Death lists the cause of death as "Sudden Cardiac Arrest - Asystole due to Coronary Artery Disease" and the manner of death as "Natural." An autopsy was not performed. Based on the Certificate of Death and the results of MSHA's investigation, the committee members concluded that [REDACTED] died from natural causes and his death should not be charged to the mining industry.

cc: Richard E. Stickler  
John Pallasch  
Robert M. Friend