



FEB 01 2010

MEMORANDUM FOR NEAL H. MERRIFIELD

Acting Administrator for Metal and  
Nonmetal Mine Safety and Health

FROM:

KENNETH A. BULLOCK *Kenneth A. Bullock*  
Chief, Program Policy Evaluation Office

HEIDI W. STRASSLER *Heidi W. Strassler*  
Deputy Associate Solicitor for Mine Safety and Health

JEFFREY A. DUNCAN *Jeffrey A. Duncan*  
Director for Educational Policy and Development

LINDA F. ZEILER *Linda F. Zeiler*  
Acting Director of Technical Support

NANCY M. SAHAKIAN, MD *Nancy Sahakian*  
Senior Program Management Consultant, Clinical Operations,  
Federal Occupational Health Service, United States Public  
Health Service

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2009-M-19-[REDACTED]

Deceased: [REDACTED]

Date of Incident: May 09, 2009

Date of Death: May 09, 2009

Operator: Imerys Clay, Inc.

Mine: Sandersville Plant

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. The deceased, a 48 year old front-end loader operator, was found slumped over in his cab by a co-worker. CPR was begun by mine personnel and continued by an EMS crew. ██████████ was transported to a local hospital but was pronounced dead by an attending physician. The death certificate indicated that his death was due to a probable arrhythmia. The deceased had a known history of heart problems. An autopsy was not performed. MSHA found no signs of over-exertion in this case and no environmental factors which may have contributed to the death.

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

cc: Joseph A. Main  
Gregory R. Wagner, MD.  
Michael A. Davis