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MEMORANDUM FOR NEAL H. MERRIFIELD
Acting Administrator for Metal and
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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2009-M-60

Deceased:

Date of Incident: September 18, 2009

Date of Death: September 18,
2009

Operator: Northwest Rock Inc.

Mine: Oakville Pit

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 customer truck driver, arrived at the mine site to pick up a load of crushed rock. After being loaded he proceeded to the scale house parking area. The loader operator observed _____ back his truck up slowly into a company owned vehicle. The employee quickly exited his loader and checked on _____. He was non-responsive. The deceased was transported immediately to a local hospital but was pronounced dead several hours later. The MSHA investigation found that both vehicles were in good working order.

The death certificate indicated that the manner of death was natural and that the cause of death was a cardiac arrest secondary to ventricular fibrillation and atherosclerotic cardiovascular disease. No autopsy was performed.

Based on the certificate of death and the results of MSHA's investigation, the 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, M.D.
Robert L. Phillips