

U.S. Department of Labor

Mine Safety and Health Administration
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Arlington, Virginia 22209-3939



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MEMORANDUM FOR NEAL H. MERRIFIELD
Administrator for Metal and
Nonmetal Mine Safety and Health

FROM:

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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2009-M-66-██████████

Deceased: ████████████████████

Date of Incident: October 14, 2009

Date of Death: October 14, 2009

Operator: Reliable Materials Lyons,
LLC

Mine: Lyons

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. The deceased had a history of severe depression and had tried to commit suicide several times previously. [REDACTED] was not a mine employee but had indicated to family members in the past that he intended to jump into a quarry. When [REDACTED] was reported missing, the mine site was among several that were examined by local law enforcement agencies. [REDACTED] was found on the ground below a 90-ft limestone highwall. The area was within the reclamation portion of the pit.

The medical examiner's report found that the cause of death was multiple injuries sustained from a fall from height. The toxicology screen was negative. The death certificate indicated that the death was due to suicide. Based on the certificate of death, the medical examiner's report and the MSHA investigation, the committee members concluded that [REDACTED] died as a result of a suicide and that his death should not be charged to the mining industry.

cc: Joseph A. Main
Gregory R. Wagner, M.D.
Patricia W. Silvey