

U.S. Department of Labor

Mine Safety and Health Administration
1100 Wilson Boulevard
Arlington, Virginia 22209-3939



MAR 28 2011

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

FROM:

DENNIS RAYMOND *Dennis Raymond*
Acting Chief, Program Policy Evaluation Office

HEIDI W. STRASSLER *Heidi W. Strassler*
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, M.D.
Senior Program Management Consultant, Clinical Operations,
Federal Occupational Health Service, United States Public
Health Service *Nancy Sahakian*

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2010-M-12 [REDACTED]

Deceased: [REDACTED]

Date of Incident: April 18, 2010

Date of Death: April 18, 2010

Operator: Mid-South Stone, Inc.

Mine: Gordonsville Plant

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, a mine superintendent, reported to work at sometime before 6:00 a.m. on a Sunday with a friend who helped him move a radial stacker using a remote control. Sunday was not a normal work day and his friend was not a miner. [REDACTED] entered his truck to leave the property and had problems with shortness of breath, lost consciousness and stopped breathing. His friend called 911 and emergency medical personnel arrived soon after. He was pronounced dead on site. The MSHA investigation found no environmental or physical factors that contributed to his death.

According to the certificate of death, [REDACTED] suffered sudden cardiac death due to acute myocardial infarction and coronary artery disease and indicated that the manner of death was natural. [REDACTED] had a history of hypertension, a previous myocardial infarction, obesity, and tobacco abuse. An autopsy was not performed.

Based on the certificate of death and the MSHA investigation, the committee members concluded that [REDACTED] died as a result of natural causes and that his death should not be charged to the mining industry.

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