

**U.S. Department of Labor**

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



**AUG 24 2011**

**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.:** 2010-M-33 [REDACTED]

**Deceased:** [REDACTED]

**Date of Incident:** November 06,  
2010

**Date of Death:** November 08, 2010

**Operator:** Maryland Materials, Inc.

**Mine:** Mechanics Valley Quarry and  
Mill

**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. ██████████ a 76 year old trespasser, was found near a shed at the mine entrance. The deceased wandered away from a nearby assisted living center that was located about one-half mile from the mine site. ██████████ was discovered to be missing from the facility on November 06, 2010, and his body was discovered November 08, 2010. ██████████ was wearing only a T-shirt, pajama bottoms, a hat and shoes.

The death certificate indicated that the death was accidental and was due to hypertensive atherosclerotic cardiovascular disease complicated by hypothermia. Other significant medical conditions included Alzheimer's disease and dementia.

██████████ was not employed by the mine and was a trespasser on mine property. He was not engaged in mine activity at the time of his death. The committee members concluded that the death should not be charged to the mining industry.

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