



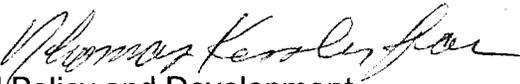
AUG 24 2011

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

FROM:

DENNIS RAYMOND   
Acting Chief, Program Policy Evaluation Office

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

JEFFREY A. DUNCAN   
Director for Educational Policy and Development

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 

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2010-M-35 

Deceased: 

Date of Incident: September 27,  
2010

Date of Death: September 27, 2010

Operator: Martin Marietta Materials,  
Inc.

Mine: Three Rivers Quarry

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. [REDACTED], a 59 year old mobile equipment operator, was found unresponsive lying on the deck of a front end loader. The deceased had just arrived for his shift and was checking equipment fluid levels. Co-workers began CPR and Emergency Medical Service workers arrived at the site. He was transported to a local hospital where he was pronounced dead.

The death certificate indicated that the manner of death was natural and was due to an acute myocardial infarction with chronic obstructive pulmonary disease as a contributory cause. No autopsy was performed. The toxicology screen was negative. The MSHA investigation found no indication of contributing physical or environmental factors at the site.

Based on the findings of the certificate of death and the results of MSHA's investigation, the committee members concluded that [REDACTED] 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.  
Patricia W. Silvey