

U.S. Department of Labor

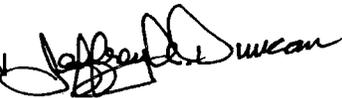
Mine Safety and Health Administration
1100 Wilson Boulevard
Arlington, Virginia 22209-3939



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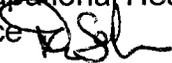
MEMORANDUM FOR NEAL H. MERRIFIELD
Administrator for Metal and
Nonmetal Mine Safety and Health

FROM:

JEFFREY A. DUNCAN 
Committee Chair
Director for Educational Policy and Development

HEIDI W. STRASSLER
Associate Solicitor for Mine Safety and Health 

GEORGE TRIEBSCH 
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Senior Program Management Consultant, Clinical Operations,
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BRENT A. CARPENTER
Chief, Office Program Policy Evaluation

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2011-M-43 

Deceased: 

Date of Incident: September 28,
2011

Date of Death: September 28, 2011

Operator: Busque Construction Co.
Inc.

Mine: Busque 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 50 year old mine owner, was found deceased by an apparent suicide inside of a box service truck. A welder generator inside the van was in the "on" position but not running. The truck body had a strong smell of fumes.

It was determined that [REDACTED] had been extremely stressed over financial matters and that he had expressed a desire to commit suicide prior to the event. According to the supplemental certificate of death, the manner of death was suicide due to acute carbon monoxide poisoning. An autopsy was not performed.

Based on the findings of the medical examiner, and the results of an investigation undertaken by personnel from MSHA and the local police department, the committee members concluded that [REDACTED] death was a suicide and that his death should not be charged to the mining industry.

cc: Joseph A. Main
Anthony C. Mayville
Patricia W. Silvey