



MAY 20 2014

MEMORANDUM FOR MARVIN D. LICHTENFELS  
Acting Administrator for Metal and  
Nonmetal Mine Safety and Health

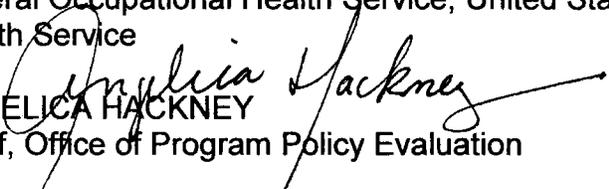
FROM:

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

HEIDI W. STRASSLER   
Associate Solicitor for Mine Safety and Health

GEORGE M. FESAK   
Director of Technical Support

NANCY M. SAHAKIAN, M.D.   
Senior Program Management Consultant, Clinical Operations,  
Federal Occupational Health Service, United States Public  
Health Service

ANGELICA HACKNEY   
Chief, Office of Program Policy Evaluation

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2013-M-25-

Deceased: 

Date of Incident: February 06, 2013

Date of Death: February 06, 2013

Operator: Luck Stone Corporation-  
Fairfax

Mine: Fairfax 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. Mr. [REDACTED] a 27 year old trespasser, was found deceased at the bottom of a 100 foot quarry highwall. He had been reported missing by a family member and his vehicle had been discovered 200 feet from the quarry wall.

The death certificate indicated that the manner of death was suicide and that the cause of death was blunt force trauma to the head, thorax and left arm. A laboratory test found a fatal level of ethylene glycol in his blood. The MSHA investigation determined that Mr. [REDACTED] was a trespasser and that he was not an employee at the mine.

Based on the findings of the death certificate and the MSHA investigation, the committee members concluded that Mr. [REDACTED] was not authorized to be on mine property and that his death was not caused by mining activities or equipment. The committee determined that his death should not be charged to the mining industry.

cc: Joseph A. Main  
Patricia W. Silvey  
Douglas L. Parker