

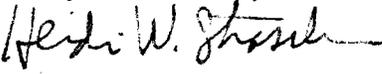


MAY 29 2014

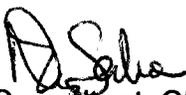
MEMORANDUM FOR MARVIN D. LICHTENFELS
Acting Administrator for Metal and
Nonmetal Mine Safety and Health

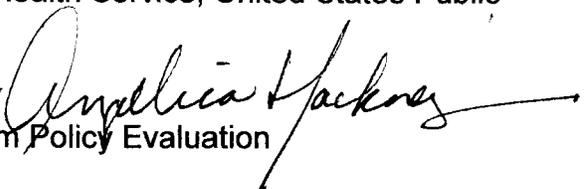
FROM:

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-27-

Deceased: 

Date of Incident: June 06, 2013

Date of Death: June 06, 2013

Operator: Shelly Materials, Inc.

Mine: Shelly Materials, Inc. Ostrander

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 26 year old trespasser, was found lying in a ditch on the east side of the quarry haul road. He had apparently jumped from a public bridge and landed on the mine haul road.

The death certificate indicated that the death was due to suicide and that the cause of death was multiple blunt trauma due to an intentional fall into the quarry. 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