



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-36-██████████

Deceased: ████████████████████

Date of Incident: August 03, 2013
(Body Discovered)

Date of Death: July 30, 2013
(Estimated Date of Death)

Operator: Gerken Materials, Inc.

Mine: Gerken Materials, Inc.

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. Ms. [REDACTED] a 49 year old trespasser, had been missing for four days prior to being found at the bottom of the east wall of the stone quarry. It was reported that she had been depressed and that she had indicated she was going to jump off the quarry highwall.

The death certificate indicated that the manner of death was suicide. The autopsy report found that the cause of death was multiple blunt trauma and the report concluded that Ms [REDACTED] jumped into the quarry to her death. The toxicology screen showed acute ethanol intoxication, fentanyl and methadone toxicity, and a recent use of cannabis. The MSHA investigation found that the deceased was not a mine employee.

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

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