

**U.S. Department of Labor**

Mine Safety and Health Administration  
201 12th Street South  
Arlington, Virginia 22202-5452

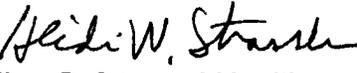


MAR 02 2016

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

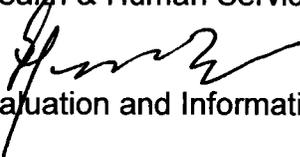
FROM:

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

HEIDI W. STRASSLER   
Associate Solicitor for Mine Safety and Health

WILLIAM J. FRANCAERT   
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TEDDI F. EISEN, M.D., FACOEM   
Reviewing Medical Officer, Contractor  
Federal Occupational Health  
Program Support Center  
U.S. Department of Health & Human Services

SYED HAFEEZ   
Director, Program Evaluation and Information Resources

SUBJECT: Chargeability Review Committee Decision

**Case No.:** 2015-M-40-

**Deceased:** 

**Date of Incident:** August 03, 2015

**Date of Death:** August 03, 2015

**Operator:** ICON Materials

**Mine:** Auburn Facility

**Autopsy Conducted:** Released  
September 04, 2015

**Death Certificate Released:** August  
18, 2015

**Decision:** Not chargeable

In a unanimous decision, the Chargeability Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. Mr. [REDACTED], a 57-year old haul truck driver, was assigned to shuttle loads of material from the pit to a nearby plant. He remained in his truck while it was being loaded but failed to respond when the excavator operator signaled him that the process was complete. He was found unresponsive in his truck. Resuscitation efforts failed, and Mr. [REDACTED] was declared dead at the scene.

MSHA's investigation was conducted between August 03, 2015 and October 19, 2015. No physical or environmental factors that could have contributed to the death were identified. The autopsy report and death certificate indicated that cause of death was dilated cardiomyopathy of uncertain etiology, and that the manner of death was natural.

Based on these findings, the committee members concluded that Mr. [REDACTED]'s death should not be charged to the mining industry.

cc: Joseph A. Main  
Patricia W. Silvey  
Laura V. McClintock