

U.S. Department of Labor

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

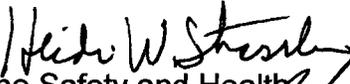


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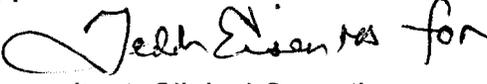
MEMORANDUM FOR NEAL H. MERRIFIELD
Administrator for Metal and
Nonmetal Mine Safety and Health

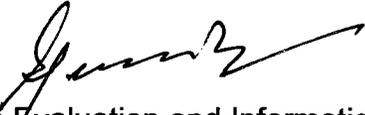
FROM:

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

HEIDI W. STRASSLER 
Associate Solicitor for Mine Safety and Health

REGINALD J. RICHARDS 
Acting Director of Technical Support

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

SYED HAFEEZ 
Director, Program Evaluation and Information

SUBJECT: Chargeability Review Committee Decision

Case No.: 2015-M-07-

Deceased: 

Date of Incident: February 26, 2015

Date of Death: February 26, 2015

Operator: Ray Labbe & Sons, Inc.

Mine: Brunswick Gravel Pit

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 58-year-old equipment operator, was skinning a deer that had been struck by a truck hauling snow when he became unresponsive. CPR was begun by co-workers but he was pronounced dead at the scene.

The death certificate indicated that the cause of death was accidental and was due to acute cocaine intoxication. An autopsy was not performed. The toxicology screen confirmed the presence of a high level of cocaine, and also indicated the possibility that the cocaine use precipitated a cardiac event.

Based on the death certificate and the MSHA investigation, the committee members concluded that Mr. [REDACTED] death was accidental but unrelated to mine related activities. The committee determined that his death should not be charged to the mining industry.

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