

U.S. Department of Labor

Mine Safety and Health Administration
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AUG 24 2011

MEMORANDUM FOR NEAL H. MERRIFIELD
Administrator for Metal and
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FROM:

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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2010-M-16 [REDACTED]**Deceased:** [REDACTED]**Date of Incident:** July 27, 2010**Date of Death:** July 27, 2010**Operator:** Lafarge Midwest
Incorporated**Mine:** Lafarge Midwest Incorporated**Contractor:** Systech Environmental
Corp.**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. [REDACTED], a 63 year-old over-the-road truck driver, was found slumped over the wheel of his truck by a co-worker. The deceased, a contractor employee, was not involved in the unloading of his truck and was waiting for the completed paperwork on his delivery when he was discovered.

Efforts to revive him at the mine property and at a local hospital failed and he was pronounced dead. No evidence of trauma was found. Chemicals were being loaded in the area but no indication was found that [REDACTED] or any of the other employees at the site were exposed to chemical fumes. Both the preliminary coroner's report and the certificate of death indicated that the death was caused by spontaneous cardiac arrhythmia due to coronary atherosclerosis and that the manner of death was natural.

Based on the coroner's report, the certificate of death and the MSHA investigation, the committee members concluded that [REDACTED] died as a result of natural causes and that his death should not be charged to the mining industry.

cc: Joseph A. Main
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