

**U.S. Department of Labor**

Mine Safety and Health Administration  
1100 Wilson Boulevard  
Arlington, Virginia 22209-3939



AUG 24 2011

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

FROM:

DENNIS RAYMOND *Dennis Raymond*  
Acting Chief, Program Policy Evaluation Office

HEIDI W. STRASSLER *Heidi W. Strassler*  
Deputy Associate Solicitor for Mine Safety and Health

JEFFREY A. DUNCAN *Jeffrey A. Duncan*  
Director for Educational Policy and Development

LINDA F. ZEILER *Linda F. Zeiler*  
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 *Nancy M. Sahakian*

SUBJECT: Fatality Review Committee Decision on Chargeability

**Case No.:** 2010-M-27 [REDACTED]

**Deceased:** [REDACTED]

**Date of Incident:** July 23, 2010

**Date of Death:** July 23, 2010

**Operator:** The Kraemer Company,  
LLC.

**Mine:** Plant #8

**Contractor:** Orica USA, 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. [REDACTED], a 54 year old contractor blasting crew supervisor, was loading and priming blast holes when he collapsed. Co-workers began CPR until paramedics arrived. He was transported to a local hospital where was pronounced dead.

An MSHA investigation of the site failed to identify any physical or environmental hazards. The toxicology screen was negative. Both the autopsy and the death certificate indicated that the case of death was due to a myxomatous mitral valve in the heart with secondary causes being cardiomegaly (heart enlargement), left ventricular hypertrophy, and moderate coronary atherosclerosis. The death certificate indicated that the death was due to natural causes.

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

cc: Joseph A. Main  
Gregory R. Wagner, M.D.  
Patricia W. Silvey