

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:

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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2011-M-08 [REDACTED]

Deceased: [REDACTED]

Date of Incident: January 21, 2011

Date of Death: January 21, 2011

Operator: Essroc Cement
Corporation

Mine: Essroc Cement Corp. Plant #3

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 56 year old laborer, was assigned to shovel snow from walkways with a co-worker. After about an hour, the two men took a break. The deceased indicated to his co-worker that he had felt chest and arm stiffness on arriving at work, but that he felt much better after shoveling a bit. After their break, the two men went back outside to complete shoveling the walkway and [REDACTED] collapsed. An emergency response crew arrived within five minutes and began resuscitation efforts. He was transported to a local hospital where he was pronounced dead several hours later.

The death certificate indicated that the manner of death was natural and due to arteriosclerotic cardiovascular disease. An autopsy report was available at the time the death certificate was prepared.

Based on the finding of the death certificate, 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