



JAN 27 2012

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*
Associate Solicitor for Mine Safety and Health

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

LINDA F. ZEILER *George H. Sanderson per*
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 Sahakian*

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No: 2011-M-14 [REDACTED]

Deceased: [REDACTED]

Date of Incident: January 14, 2011

Date of Death: January 14, 2011

Operator: Hanson Material Service

Mine: Thornton Quarry

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 25 year old trespasser, was a passenger in a vehicle traveling on a public road near the mine property. The car was traveling at a high rate of speed, failed to negotiate a curve. After striking a stone berm located on mine property, the vehicle became airborne. The vehicle crashed into a warehouse loading dock, where an electrical utility pole came to rest in a mine parking lot.

The deceased was not a mine employee or contractor and was not performing mine related work activities. [REDACTED] was pronounced dead at the scene. The death certificate and post-mortem examination found that the death was due to multiple injuries. The manner of death was determined to be accidental.

[REDACTED] was a trespasser on mine property and was not involved in mining related activity. The committee members concluded that his death should not be charged to the mining industry.

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