

U.S. Department of Labor

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




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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

GEORGE TRIEBSCH 
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 

BRENT A. CARPENTER 
Chief, Office Program Policy Evaluation

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2011-M-48 

Deceased: 

Date of Incident: November 15,
2011

Date of Death: November 15, 2011

Operator: Two Rivers Sand &
Gravel, Inc.

Mine: Two Rivers Sand & Gravel Pit

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 78 year old crusher operator, climbed up on top of the screening plant to secure the head pulley guard on the cone crusher discharge belt. He was found unresponsive on top of the screen near the head pulley. Efforts were made to revive [REDACTED] by co-workers and EMT personnel without success.

The death certificate indicated that the manner of death was natural and that the death was due to an acute myocardial infarction secondary to arteriosclerotic cardiovascular disease. An autopsy was not performed. At the time of the incident the plant was down for maintenance and was locked and tagged out. The deceased was performing his normal work duties. An MSHA investigation did not identify any physical or environmental hazards.

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

cc: Joseph A. Main
Anthony C. Mayville
Patricia W. Silvey