



JUN 02 2013

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

FROM: JEFFREY A. DUNCAN *Jeffrey A. Duncan*
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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2012-M-21-[REDACTED]

Deceased: [REDACTED]

Date of Incident: October 04, 2012

Date of Death: October 04, 2012

Operator: E.I.A., LLC.

Mine: E.I.A. Sand and Gravel 2

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 66 year old dredge operator, was operating the dredge when he was found lying face down on the dredge deck by a co-worker. He was unconscious with no pulse. Paramedics arrived on the scene and pronounced him dead.

The death certificate indicated that the manner of death was natural and was due to a cardiac arrhythmia secondary to a heart attack and heart disease. An autopsy was not performed. An MSHA investigation did not identify any physical or environmental hazards.

Based on the findings of the death certificate and the MSHA 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
Patricia W. Silvey
Stephen R. Weatherford