



SEP 30 2014

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.: 2012-M-44 [REDACTED]

Deceased: [REDACTED]

Date of Incident: May 25, 2012

Date of Death: May 25, 2012

Operator: Kentucky Tennessee Clay  
Company

Mine: Feldspar Corp-Siloam Washing  
Plant

Decision: Not chargeable

In a unanimous decision, the Fatality Review Committee has determined that the death of ██████████ should not be charged to the mining industry. ██████████, a 52 year old maintenance mechanic, was assigned the task of removing a barge pump from a freshwater retention pond. He was using a bush axe to cut the pump discharge line and after the third attempt he sat back into the 11 foot aluminum boat he was working from. He did not respond to a co-worker calling out to him from the shore. He then leaned toward the edge of the boat and fell into the water. His body was recovered and he was declared dead at the scene. ██████████ was wearing a life vest.

The death certificate indicated that the death was accidental and due to drowning compounded by severe arteriosclerotic coronary heart disease. ██████████ had a history of coronary artery disease and had undergone open heart surgery the year prior to his death. He was a cigarette smoker. The drug and alcohol toxicology screen was negative. Based on his past medical history, the observations of his co-worker on shore and the autopsy findings, the committee medical expert concluded that ██████████ first had a fatal heart attack and then fell over-board. MSHA's investigation did not identify any issues with the pump's electrical circuitry that would have contributed to his death.

Based on the findings of the death certificate, the autopsy report and the MSHA Investigation, the committee members concluded that ██████████ died due to natural causes and that his death should not be charged to the mining industry.

cc: Joseph A. Main  
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