



MAY 20 2014


MEMORANDUM FOR MARVIN D. LICHTENFELS  
Acting 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 M. FESAK   
Director of Technical Support

NANCY M. SAHAKIAN, M.D.   
Senior Program Management Consultant, Clinical Operations,  
Federal Occupational Health Service, United States Public  
Health Service

ANGELICA HACKNEY   
Chief, Office of Program Policy Evaluation

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2013-M-38 

Deceased: 

Date of Incident: December 19,  
2013

Date of Death: December 19, 2013

Operator: Swenson Granite  
Company, LLC.

Mine: Swenson Gray Quarry

Contractor: Weaver Bros Const. Co.,  
Inc.

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.

Mr. [REDACTED], a 49 year old contractor dump truck driver, dumped off a load of excavated material in the stockpile yard and then began shoveling dirt under his truck tires for traction. He was seen several minutes later on the ground at the side of his truck. He was unresponsive and not breathing. CPR was begun at the site and Mr. [REDACTED] was transported to the hospital where he was pronounced dead.

The death certificate indicated that the manner of death was natural and that the cause of death was an acute cardiac syndrome. He had a history of diabetes and elevated lipids. The MSHA investigation failed to identify any contributory physical or environmental hazards.

Based on the findings of the death certificate and the MSHA investigation, the committee members concluded that Mr. [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  
Douglas L. Parker