



SEP 16 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.: 2013-M-14-

Deceased: 

Date of Incident: March 16, 2013

Date of Death: March 16, 2013

Operator: Hoover, Inc.

Mine: Murfreesboro Quarry & Mill

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 truck driver, was hauling a load of boulders out of the pit when his haul truck accelerated through the haulage road barrier and traveled over the ledge of a 38 foot highwall. A mine contract employee witnessed the accident. He indicated that the deceased was slumped over in his seat facing the floor when the truck failed to negotiate a curve in the road. ██████████ was pronounced dead at the scene.

The death certificate indicated that the cause of death was multiple blunt force injuries and that the manner of death was accidental. The autopsy findings included fractures to the sternum, ribs, and thoracic vertebrae, hemorrhage of the spinal cord, lungs and abdominal cavity and injuries to the heart, pancreas and liver.

MSHA's medical expert, upon examination of the documentation believes that the accident likely occurred subsequent to a medical event. The autopsy report revealed that in addition to the blunt force injuries, there was also severe atherosclerosis of the aorta and moderate (50% stenosis) coronary artery atherosclerosis with a previous remote myocardial infarction of the papillary muscle of the heart. The toxicological screen was negative.

The MSHA inspection did not identify any defects in the truck's steering or braking systems. The weather was not considered to be a factor in the incident. An examination of the roadway at the scene found no hazards which could have contributed to the accident.

Based on the eye-witness account, the MSHA investigation and an expert medical opinion, the members of the committee concluded that the death appeared to be due to a medical event which resulted in a truck accident. The committee determined that the death of ██████████ should not be charged to the mining industry.

cc: Joseph A. Main
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