

**U.S. Department of Labor**

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



SEP 16 2014


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 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-41-

**Deceased:** 

**Date of Incident:** December 12,  
2013

**Date of Death:** December 12, 2013

**Operator:** Montana Resources

**Mine:** Continental Mine

**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 59 year old truck driver, was performing a walk around inspection of his truck when he collapsed. Emergency response personnel began CPR and transported him by ambulance to a local hospital where he was later pronounced dead.

The death certificate and autopsy report indicated that the manner of death was natural and that the cause of death was cardiac dysrhythmia due to aortic stenosis with cardiomegaly due to a bicuspid aortic valve. The toxicology screen was negative. MSHA's investigation did not identify any environmental factors that could have contributed to the death.

Based on the findings of the death certificate, the autopsy report 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  
Douglas L. Parker