




FEB 02 2015


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

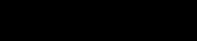
HEIDI W. STRASSLER 
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Senior Program Management Consultant, Clinical Operations,
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SYED HAFEEZ 
Director, Program Evaluation and Information

SUBJECT: Chargeability Review Committee Decision

Case No.: 2014-M-25-

Deceased: 

Date of Incident: June 17, 2014

Date of Death: June 17, 2014

Operator: Holcim Texas LP

Mine: Holcim Texas LP

Decision: Chargeable

In a unanimous decision, the Chargeability Review Committee has determined that the death of ██████████ should be charged to the mining industry. ██████████ a 41 year old customer truck driver, parked his cement truck at an access platform and opened the bulk hatches on the trailer in preparation for receiving his next load of cement. A driver that parked behind him came to investigate when he saw that the deceased was no longer on the roof of the truck and that his truck was not moving. He was found conscious in the tank of the truck, but the driver could not lift him out. When the mine first responder team arrived ██████████ had no pulse or respirations. He was transported to a local hospital and he was pronounced dead shortly after.

The autopsy report indicated that the manner of death was accidental and that the cause of death was asthma exacerbated by environmental dust exposure. It is believed that ██████████ was having an asthma attack when he dropped his inhaler into the tank of the truck. The investigation found that he then intentionally entered the trailer and used his asthma inhaler while in the tank. The toxicology screen detected levels of theophylline, the active ingredient in the asthma inhaler.

Based on the findings of autopsy report and the MSHA investigation; the committee members concluded that ██████████ death was accidental and that his death should be charged to the mining industry.

cc: Joseph A. Main
Patricia W. Silvey
Douglas L. Parker