

U.S. Department of Labor

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

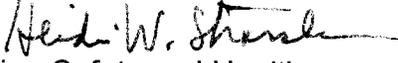


APR 09 2015

MEMORANDUM FOR NEAL H. MERRIFIELD
Administrator for Metal and
Nonmetal Mine Safety and Health

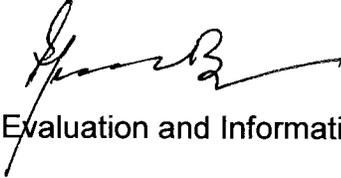
FROM:

JEFFREY A. DUNCAN 
Committee Chair
Director for Educational Policy and Development

HEIDI W. STRASSLER 
Associate Solicitor for Mine Safety and Health

WILLIAM J. FRANCAERT 
Acting Director of Technical Support

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

SYED HAFEEZ 
Director, Program Evaluation and Information

SUBJECT: Chargeability Review Committee Decision

Case No.: 2014-M-35 

Deceased: 

Date of Incident: July 08, 2014

Date of Death: July 08, 2014

Operator: Kinkead Aggregates, LLC. **Mine:** Kinkead Aggregates, LLC.

Contractor: Force, Inc.

Decision: Not chargeable

In a unanimous decision the Chargeability Review Committee has determined that the death of ██████████ should not be charged to the mining industry.

██████████ a 66 year old engineer, was employed by a contractor to inspect a newly installed sand plant. While on site there was an electrical storm during which everyone took shelter in their vehicles. After the storm passed he was found in his vehicle unresponsive. Co-workers began CPR but he was declared dead at the scene.

The death certificate and autopsy report indicated that the cause of death was an acute and old myocardial infarction. The autopsy report found severe atherosclerotic coronary artery disease. The toxicology screen was negative.

Based on the findings of 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
Patricia W. Silvey