

U.S. Department of Labor

Mine Safety and Health Administration
201 12th Street South
Arlington, Virginia 22202-5452



AUG 11 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

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NANCY M. SAHAKIAN, M.D. 
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SYED HAFEEZ 
Director, Program Evaluation and Information

SUBJECT: Chargeability Review Committee Decision

Case No.: 2014-M-51-

Deceased: 

Date of Incident: June 16, 2014

Date of Death: June 16, 2014

Operator: U.S. Silica Company

Mine: Ottawa Plant

Decision: Not chargeable

In a unanimous decision, the Chargeability Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. [REDACTED], age 17, was trespassing on mine property and driving a stolen vehicle at a high rate of speed. The vehicle crashed into a chain link fence, surrounding the mine site, continued over a six-foot tall earthen berm and fell 60 feet into a sand- and water-filled pit. Police followed the tire tracks and discovered [REDACTED] body inside the submerged vehicle.

The death certificate and autopsy report both indicate that the death was accidental. The cause of death was listed as asphyxia due to aspiration of sandy mud as a consequence of an automobile mishap. The toxicology screen was positive for LSD and cannabinoids.

Based on these findings, the committee members concluded that [REDACTED] was trespassing on mine property and that his death should not be charged to the mining industry.

cc: Joseph A. Main
Patricia W. Silvey