

**U.S. Department of Labor**

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



OCT 30 2015

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

FROM:

JEFFREY A. DUNCAN   
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SYED HAFEEZ   
Director, Program Evaluation and Information

SUBJECT: Chargeability Review Committee Decision

**Case No.:** 2015-M-14-

**Deceased:** 

**Date of Incident:** June 23, 2015

**Date of Death:** June 24, 2015

**Operator:** Hilty Quarries Inc.

**Mine:** Portable Plant #3

**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. Mr. [REDACTED], a 55-year old front end loader operator, was operating a loader when a co-worker noticed the equipment was moving slowly and inconsistently. Emergency medical personnel found that his speech was slurred, he had left arm and leg weakness, and complained of a headache. Mr. [REDACTED] was transported by life flight to a regional hospital where he was pronounced dead the following day.

The death certificate indicates that the manner of death was natural and the cause of death was an intracranial hemorrhage due to a hypertensive emergency. No autopsy was performed. MSHA's investigation did not identify any environmental or physical conditions that could have caused Mr. Pavlich's death.

Based on these findings, the Committee concludes that Mr. [REDACTED]'s death was due to natural causes and should not be charged to the mining industry.

cc: Joseph A. Main  
Patricia W. Silvey  
Laura V. McClintock