

U.S. Department of Labor

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



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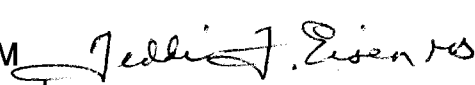
MEMORANDUM FOR NEAL H. MERRIFIELD
Administrator for Metal and
Nonmetal Mine Safety and Health

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

TEDDI F. EISEN, M.D., FACOEM 
Reviewing Medical Officer, Contractor
Federal Occupational Health
Program Support Center
U.S. Department of Health & Human Services

SYED HAFEEZ 
Director, Program Evaluation and Information

SUBJECT: Chargeability Review Committee Decision

Case No.: 2015-M-19 

Deceased: 

Date of Incident: April 21, 2015

Date of Death: April 21, 2015

Autopsy Conducted: April 22, 2015
(provided to MSHA June 4, 2015)

Death Certificate Issued: June 8, 2015
20, 2015

Operator: Loeffler Concrete & Gravel

Mine: Loeffler Pit

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. On April 21, 2015 [REDACTED], a 57 year-old mine owner, was found in his car submerged and upside down in about four feet of water. He was pronounced dead at the scene. [REDACTED] was living in a camper on mine property.

The MSHA investigation found that the mine was not yet open for the season at the time of [REDACTED]'s death.

The autopsy report indicated that the cause of death was drowning and that the deceased was possibly in the early stages of a myocardial infarction. The autopsy also found that there were only superficial injuries from the motor vehicle accident that were not believed to have contributed to his death. The death certificate listed severe coronary artery atherosclerosis, a previous myocardial infarction, and acute alcohol intoxication as contributing conditions.

Based on these findings, the Committee members concluded that [REDACTED] death should not be charged to the mining industry.

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