

U.S. Department of Labor

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




JUL 28 2016

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

SUBJECT: Chargeability Review Committee Decision

Case No.: 2016-M-07-

Deceased: 

Date of Incident: April 5, 2016

Date of Death: April 5, 2016

Operator: Capstone Mining Corp


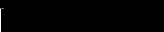

Mine: Pinto Valley Mine

Autopsy Conducted: April 7, 2016

Death Certificate Released: June 27, 2016

Contractor: Arizona Industrial &
Municipal Services Inc.

Decision: Not chargeable

I have reviewed the investigative report in the death of  and determined it should not be charged to the mining industry.  a 50 year old contract laborer, complained to a co-worker of heartburn and nausea. Later in the shift he told the same co-worker that he needed to throw up and that he needed water. The two employees walked to a vacuum truck location. The deceased said his chest hurt and he was having trouble breathing.  drank some water and took an antacid. He began vomiting and coughing. A few minutes later, he vomited again and collapsed, striking a nearby man basket. Co-workers went to his aid and first responders were summoned. He was loaded into the bed of a pickup truck and CPR was performed while he was taken to an Air Evac Helicopter station just outside the mine gate. He was transported to a local medical facility, where he was pronounced dead.

The autopsy report indicated that the cause of death was arteriosclerotic cardiovascular disease and that the manner of death was natural. MSHA's investigation did not identify any environmental or physical factors that could have contributed to the death.

Based on the autopsy report and MSHA's investigation, I have determined that the death of [REDACTED] was not due to mine related work activities and should not be charged to the mining industry.

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