

U.S. Department of Labor

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



SEP 01 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-11 [REDACTED]

Deceased: [REDACTED]

Date of Incident: July 11, 2016

Date of Death: July 11, 2016

Operator: Mosaic Fertilizer LLC

Mine: Four Corners Mine

Autopsy Conducted: Unknown

Death Certificate Released:
Unknown

Decision: Not chargeable

I have reviewed the investigative report in the death of [REDACTED] and determined it should not be charged to the mining industry. [REDACTED], a 34 year old trespasser, was operating a vehicle that was spotted by a Florida Fish and Wildlife Conservation officer while trespassing in the area of a dam on mine property. When the vehicle traveled from a road on the mine property to a county roadway the officer pursued the vehicle. The pursuit was suspended when the trespassing truck left the county road and traveled back onto mine property. The officer was notified later of a rollover accident involving the deceased's vehicle. A male passenger ran approximately two miles to seek help. [REDACTED] succumbed to her injuries while being airlifted from the scene.

The accident occurred on the mine site; however the persons involved were trespassers and did not have permission to be on the mine site. No death certificate or autopsy report was provided. Based on 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