

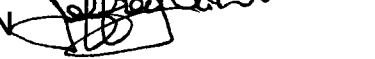
U.S. Department of Labor

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




NOV 16 2016

MEMORANDUM FOR KEVIN G. STRICKLIN
Acting Administrator for Metal and
Nonmetal Mine Safety and Health

FROM: JEFFREY A. DUNCAN 
Committee Chair
Director for Educational Policy and Development

SUBJECT: Chargeability Review Decision

Case No.: 2016-M-18-

Deceased: 

Date of Incident: July 25, 2016

Date of Death: July 25, 2016

Operator: Laredo Paving Inc.


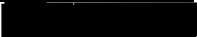
Mine: Crusher LU130

Autopsy Conducted: July 26, 2016

Death Certificate Issued: November
03, 2016

**Autopsy (with toxicology report)
Signed:** August 30, 2016

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 27 year old laborer, was unresponsive when discovered by a by co-worker in a portable latrine and died that same day.

An autopsy, which included a toxicology report, concluded that the cause of death was acute methamphetamine intoxication. The autopsy also listed hypertensive cardiovascular disease as a significant finding.

The death certificate indicated that the manner of death was accidental, and listed the immediate cause of death as acute methamphetamine intoxication. Hypertensive cardiovascular disease was listed as an underlying cause of death.

Based on the autopsy, death certificate 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
Larry J. Trainor