

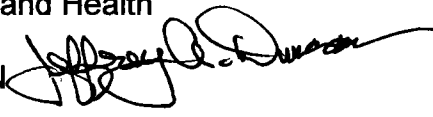
U.S. Department of Labor

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



DEC 12 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- 20 [REDACTED]

Deceased: [REDACTED]

Date of Incident: July 18, 2016

Date of Death: July 20, 2016

Operator: Memphis Stone & Gravel Co.

Mine: North Plant
MSHA ID 46-01635

Contractor: ICN Ready Mix

Autopsy Conducted: Not performed

Death Certificate Issued: August 10,
2016

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 45 year old contractor truck driver, was at the mine to pick up a load of sand. After [REDACTED] had been directed to the sand pile, his truck moved slowly until its wheels ran up a small berm and began spinning. A miner found [REDACTED] unresponsive belted between the vehicle seats. EMS workers arrived and performed cardiopulmonary resuscitation on [REDACTED] and transported him to the hospital. He was treated in the intensive care unit of the hospital where he died two days later.

The death certificate stated that the manner of death was natural, listing the immediate cause of death as sudden cardiac arrest with atherosclerotic cardiovascular disease as the underlying cause.

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