

U.S. Department of Labor

Mine Safety and Health Administration
1100 Wilson Boulevard
Arlington, Virginia 22209-3939



JUL 01 2008

MEMORANDUM FOR FELIX A. QUINTANA

Administrator for Metal and
Nonmetal Mine Safety and Health

FROM:

for
GEORGE M. FESAK *George M. Fesak*
Director, Program Evaluation and Information Resources

ALFRED B. BROOKS *Alfred B. Brooks*
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Associate Solicitor for Mine Safety and Health

JEFFREY A. DUNCAN *Jeffrey A. Duncan*
Director for Educational Policy and Development

MARK E. SKILES *Mark E. Skiles*
Director of Technical Support

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: M-2007-53 [REDACTED]

Deceased: [REDACTED]

Date of Incident: July 21, 2007

Date of Death: July 21, 2007

Operator: Specialty Minerals, Inc.

Mine: Adams Mine

Decision: Not Chargeable

In a unanimous decision, the Fatality Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. According to MSHA's investigation, [REDACTED] was employed by the Adams Mine as a supervisor. [REDACTED] age 57, was found unresponsive by two co-workers after he had fallen on

the stairway at the screening plant, striking his head on a steel grate. The death certificate lists the manner of death as accident; however, the autopsy report reverses this finding. The autopsy report lists the cause of death as: "right coronary artery occlusion with posterior left ventricular myocardial infarction, acute, and terminal arrhythmia" and the manner of death as "natural." Based on the autopsy report and the results of MSHA's investigation, the committee members concluded that [REDACTED] died from natural causes and his death should not be charged to the mining industry.

cc: Richard E. Stickler
John Pallasch
Robert M. Friend