



JUN 18 2008

MEMORANDUM FOR FELIX A. QUINTANA

Administrator for Metal and
Nonmetal Mine Safety and Health

FROM:

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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: M-2007-57 [REDACTED]

Deceased: [REDACTED]

Date of Incident: October, 02, 2007

Date of Death: October 02, 2007

Operator: Arkansas Lime Company

Mine: Limedale Plant

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. MSHA's investigation revealed that [REDACTED], age 68, was a customer truck driver who had just finished watering down a load of agricultural lime at the load wet-down/truck

wash system at the Limedale Plant. [REDACTED] was found unresponsive in his truck by another truck driver. The Certificate of Death and Arkansas State Crime Laboratory report list the cause of death as "Atherosclerotic Cardiovascular Disease," and the Manner of Death as "Natural." The Laboratory Report also indicates that there was no evidence of injury. An autopsy was not conducted. Based on the Certificate of Death 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