

U.S. Department of Labor

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



JUN 18 2008

MEMORANDUM FOR FELIX A. QUINTANA

Administrator for Metal and
Nonmetal Mine Safety and Health

FROM:

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

ALFRED B. BROOKS *Alfred B Brooks*
Medical Director, Office of Workers Compensation Programs

EDWARD P. CLAIR *Edward P. Clair*
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-2007-58 [REDACTED]

Deceased: [REDACTED]

Date of Incident: November 13, 2007

Date of Death: November 13, 2007

Operator: Spiro Sand & Gravel
Company

Mine: Spiro Sand & Gravel

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 47, was an employee of Spiro Sand & Gravel. [REDACTED] was walking behind an MSHA inspector during a regular inspection of the mine when he collapsed. Efforts to revive [REDACTED] by Emergency

Medical Technicians were not successful. The Certificate of Death lists the cause of death as "Probable Acute Myocardial Infarction" and manner of death as "Natural." No autopsy was performed. 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