



DEC 08 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-2008-29-[REDACTED]

Deceased: [REDACTED]

Date of Incident: 10/29/2008

Date of Death: 10/29/2008

Operator: Mezger Enterprises Ltd.

Mine: Gene Swenson Quarries

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 determined that [REDACTED] was employed as a front-end loader operator at the Gene Swenson Quarries. About 1 hour into the shift, a coworker found [REDACTED] unconscious and partway out the door of his front-end loader. His coworkers performed cardiopulmonary resuscitation until Emergency Medical Services arrived and transported [REDACTED] to the hospital where he was pronounced dead. The MSHA investigation did not identify any hazards that could have contributed to [REDACTED] death. The death certificate indicates cause of death was myocardial infarction secondary to hypertension which was secondary to polycythemia vera. An autopsy was not performed.

Based on the death certificate and the results of MSHA's investigation, the committee members concluded that [REDACTED] died of natural causes and his death should not be charged to the mining industry.

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