



FEB 01 2010

MEMORANDUM FOR NEAL H. MERRIFIELD
Acting Administrator for Metal and
Nonmetal Mine Safety and Health

FROM: KENNETH A. BULLOCK *Kenneth A. Bullock*
Chief, Program Policy Evaluation Office

HEIDI W. STRASSLER *Heidi W. Strassler*
Deputy Associate Solicitor for Mine Safety and Health

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

LINDA F. ZEILER *Linda F. Zeiler*
Acting Director of Technical Support

NANCY M. SAHAKIAN, MD *Nancy Sahakian*
Senior Program Management Consultant, Clinical Operations,
Federal Occupational Health Service, United States Public
Health Service

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2009-M-20-[REDACTED]

Deceased: [REDACTED]

Date of Incident: March 21, 2009

Date of Death: March 21, 2009

Operator: LaFarge Building
Materials, Inc.

Mine: Harleyville Mine & 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. The deceased, a 45 year old lube mechanic, was found deceased in the plant area by a co-worker. He had been assigned the task of changing the oil and cleaning the sump on the vertical raw mill. [REDACTED] had not left the mine at the end of his shift, and 5 hours later his concerned wife asked personnel at the property to check on his whereabouts. [REDACTED] had apparently been deceased for some period of time. The death certificate and autopsy report indicated that his death was due to cardiac arrhythmia secondary to cardiomegaly. A history of hypertension was also noted. The MSHA investigation found no mechanical or environmental issues in this case. The duties being performed by [REDACTED] during his shift did not appear to be strenuous and were consistent with his normal routine.

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

cc: Joseph A. Main
Gregory R. Wagner, MD.
Michael A. Davis