

**U.S. Department of Labor**

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



**JAN 25 2010**

**MEMORANDUM FOR NEAL H. MERRIFIELD**

**Acting Administrator for Metal and  
Nonmetal Mine Safety and Health**

**FROM:**

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**SUBJECT:**

**Fatality Review Committee Decision on Chargeability**

**Case No.:** 2009-M-22-



**Deceased:**



**Date of Incident:** June 29, 2009

**Date of Death:** June 29, 2009

**Operator:** Specialty Minerals, Inc.

**Mine:** Adams

**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 36 year old trespasser, drove his pick-up truck over a quarry highwall to a depth of 250 ft. The deceased made a failed first attempt to drive over a berm and then backed up his vehicle some 80 ft to gain speed on his second attempt. [REDACTED] had worked at the mine as a janitor five years previously but did not work at the site at the time of his death. Investigations conducted by MSHA and the Massachusetts State Police Detective Unit concluded that [REDACTED] committed suicide.

Based on the State Police and MSHA investigation reports the Fatality Review committee concluded that this case involved a trespasser suicide and should not be charged to the mining industry.

cc: Joseph A. Main  
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