

U.S. Department of Labor

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



MAR 28 2011

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

FROM:

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SUBJECT: **Fatality Review Committee Decision on Chargeability**

Case No.: 2010-M-11 [REDACTED]

Deceased: [REDACTED]

Date of Incident: April 09, 2010

Date of Death: April 09, 2010

Operator: Oglebay Norton Industrial
Sands, Inc.

Mine: Glass Rock 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 contract over-the-road truck driver, was found unresponsive in the cab of his truck. Workers in the area had become concerned when his truck remained parked for some time prior to being loaded and they were unable to see [REDACTED] inside the cab. It was unclear how long the truck remained parked before the deceased was discovered.

Emergency medical treatment was performed and the deceased was transferred to a local hospital where he was pronounced dead. The certificate of death indicated that the manner of death was natural. The immediate cause of death was sudden cardiac death.

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

cc: Joseph A. Main
Gregory R. Wagner, M.D.
Patricia W. Silvey