



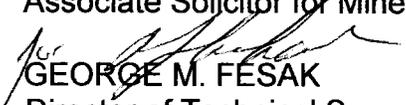
MAY 20 2014

MEMORANDUM FOR MARVIN D. LICHTENFELS
Acting Administrator for Metal and
Nonmetal Mine Safety and Health

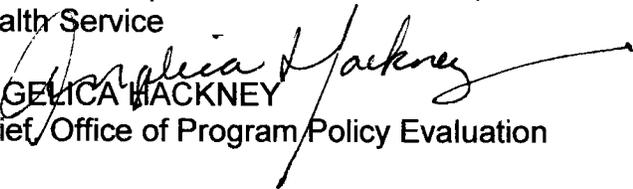
FROM:

JEFFREY A. DUNCAN 
Committee Chair
Director for Educational Policy and Development

HEIDI W. STRASSLER 
Associate Solicitor for Mine Safety and Health

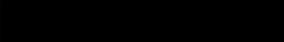

GEORGE M. FESAK
Director of Technical Support

NANCY M. SAHAKIAN, M.D. 
Senior Program Management Consultant, Clinical Operations,
Federal Occupational Health Service, United States Public
Health Service


ANGELICA HACKNEY
Chief, Office of Program Policy Evaluation

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2013-M-26-

Deceased: 

Date of Incident: July 23, 2013

Date of Death: July 23, 2013

Operator: West Hawaii Concrete

Mine: Portable-1

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. Mr. [REDACTED] a 30 year old trespasser, was found hanging with a nylon rope noose around his neck. The rope was tied to a handrail on the walkway around the screening plant.

The death certificate indicated that the manner of death was suicide. The death certificate and autopsy report both indicate that the cause of death was asphyxiation by hanging. The MSHA investigation determined that Mr. [REDACTED] was a trespasser and that he was not an employee at the mine.

Based on the findings of the death certificate, the autopsy report and the MSHA Investigation, the committee members concluded that Mr. [REDACTED] was not authorized to be on mine property and that his death was not caused by mining activities or equipment. The committee determined that his death should not be charged to the mining industry.

cc: Joseph A. Main
Patricia W. Silvey
Douglas L. Parker