

U.S. Department of Labor

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

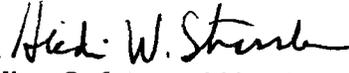


FEB 13 2015

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

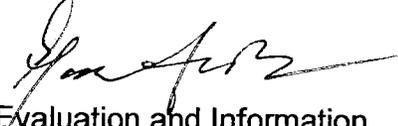
FROM:

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

HEIDI W. STRASSLER 
Associate Solicitor for Mine Safety and Health

WILLIAM J. FRANCA 
Acting Director of Technical Support

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

SYED HAFEEZ 
Director, Program Evaluation and Information

SUBJECT: Chargeability Review Committee Decision

Case No.: 2013-M-53-

Deceased: 

Date of Incident: May 19, 2013

Date of Death: May 19, 2013

Operator: Indiana Limestone
Company Incorporated

Mine: Empire Quarry

Decision: Not chargeable

In a unanimous decision, the Chargeability Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. [REDACTED] a 37 year old trespasser, was operating a methamphetamine laboratory with her husband near the quarry edge. She slipped and fell over an 80 foot ledge into a water-filled quarry and drowned.

The death certificate indicated that the cause of death was drowning with methamphetamine toxicity as a contributing factor. The manner of death was determined to be accidental. The toxicology screen showed toxic levels of methamphetamine and the presence of amphetamine, alprazolam and hydrocodone.

Based on the findings of the death certificate and the MSHA investigation, the committee members concluded that [REDACTED] was not performing mine related work activities nor was her death caused by mining activities or equipment. The committee determined that her death should not be charged to the mining industry.

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