

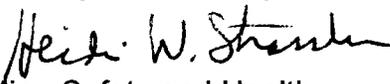


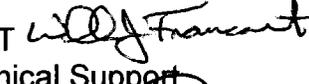
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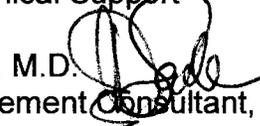
MEMORANDUM FOR NEAL H. MERRIFIELD
Administrator for Metal and
Nonmetal Mine Safety and Health

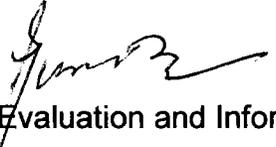
FROM:

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.: 2014-M-39-

Deceased: 

Date of Incident: November 11,
2014

Date of Death: November 11, 2014

Operator: Mountain Aggregates, Inc. Mine: Pine Mountain Stone

Decision: Not chargeable

In a unanimous decision the Chargeability Review Committee has determined that the death of ██████ should not be charged to the mining industry. Mr. ██████ a 57 year old customer truck driver, had been loaded with material from a stockpile and he drove his truck to the scales to weigh-out. He pulled off of the scales when he received word that his right rear outer tire was flat. He had removed the flat tire and positioned the replacement tire with the assistance of three mine employees. In the process of the final tightening of the lug nuts he attempted to stand up and fell backward on the ground. He was found to be unresponsive and without a pulse. He was transported to a nearby hospital where he was later pronounced dead.

The death certificate indicated that the manner of death was natural and that the cause of death was an acute myocardial infarction. An autopsy was not performed. An MSHA inspection failed to identify any contributory physical or environmental hazards at the mine site.

Based on the findings of the death certificate and the MSHA investigation the committee members concluded that Mr. ██████ died due to natural causes and that his death should not be charged to the mining industry.

cc: Joseph A. Main
Patricia W. Silvey