

U.S. Department of Labor

Mine Safety and Health Administration
201 12th Street South
Arlington, Virginia 22202-5452

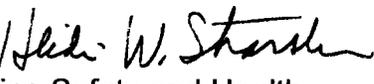


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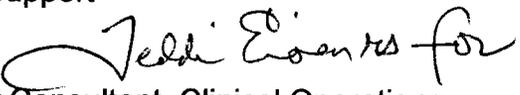
MEMORANDUM FOR NEAL H. MERRIFIELD
Administrator for Metal and
Nonmetal Mine Safety and Health

FROM:

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

HEIDI W. STRASSLER 
Associate Solicitor for Mine Safety and Health

REGINALD J. RICHARDS 
Acting Director of Technical Support

NANCY M. SAHAKIAN, M.D. 
Senior Program Management Consultant, Clinical Operations,
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SYED HAFEEZ 
Director, Program Evaluation and Information

SUBJECT: Chargeability Review Committee Decision

Case No.: 2015-M-15-

Deceased: 

Date of Incident: July 02, 2015

Date of Death: July 02, 2015

Operator: Martin Marietta Materials,
Inc.

Mine: Bakers 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. Mr. [REDACTED], a 22-year old trespasser, was riding a motorcycle without lights when he crashed into a closed metal gate. Mr. [REDACTED] and his brother-in-law, who was riding an ATV behind him, entered the property after dark via a rail spur and veered off onto a perimeter road. Mr. [REDACTED]'s brother-in-law was able to stop before colliding with the gate, and he summoned emergency medical personnel. Mr. [REDACTED] was transported to a local hospital where he was pronounced dead on arrival.

The death certificate indicates that the manner of death was accidental due to blunt force trauma to the neck from an all-terrain vehicle crash. The MSHA investigation found that Mr. [REDACTED] was a trespasser. He was not a miner or contractor at this mine, and was not authorized to be on the mine site.

Based on these findings, the Committee concludes that Mr. [REDACTED] was not performing work related activities at the time of the incident and that his death should not be charged to the mining industry.

cc: Joseph A. Main
Patricia W. Silvey
Laura V. McClintock