

**U.S. Department of Labor**

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



JUN 16 2017

**MEMORANDUM FOR:** MARVIN LICHTENFELS

Deputy Administrator for Metal and Nonmetal  
Mine Safety and Health

**FROM:**

JEFFREY A. DUNCAN

Committee Chair

Director for Educational Policy and Development

A handwritten signature in black ink, appearing to read "Jeffrey A. Duncan", written over the printed name.

**SUBJECT:**

Chargeability Review Decision

**Case No.:** 2017-M-15- [REDACTED]

**Deceased:** [REDACTED]

**Date of Incident:** January 11, 2017

**Date of Death:** January 11, 2017

**Operator:** Newmont Mining Corp

**Mine:** Twin Creeks Mine  
MSHA ID 26-01942

**Contractor:** Quality Transportation, Inc.  
ID A6008

**Autopsy Conducted:** Yes

**Death Certificate Issued:** April 12,  
2017

**Autopsy Report Issued:** February 9, 2017

**Death Certificate Received by  
MSHA:** May 25, 2017

**Decision:** Not Chargeable

I reviewed the investigative report in the death of [REDACTED] and determined it should not be charged to the mining industry. [REDACTED], a 59-year-old contractor truck driver, was found by a coworker slumped over and unresponsive in his vehicle. Miners performed cardiopulmonary resuscitation, and applied an automated external defibrillator. Mine emergency technicians continued resuscitative efforts and transferred [REDACTED] to paramedics. He was pronounced dead by paramedics in the hospital ambulance after consultation with the hospital physician.

Both the death certificate and autopsy report state that the manner of death was natural, and the immediate cause of death was atherosclerotic and hypertensive cardiovascular disease. The autopsy report also lists obesity as a significant condition contributing to the death. The MSHA investigation did not reveal any

environmental or physical conditions that contributed to the death.

Based on the autopsy report, death certificate, and MSHA's investigation, I determined that the death of [REDACTED] was not due to mine related work activities and should not be charged to the mining industry.

cc: Patricia W. Silvey  
Kevin G. Stricklin  
Sheila A. McConnell  
Lawrence Trainor