


U.S. Department of Labor

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



MAR 15 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

SUBJECT: Chargeability Review Decision

Case No.: 2017-M-02- **Deceased:** 




Date of Incident: January 3, 2017 **Date of Death:** January 3, 2017

Operator: Cemex Construction Materials of Florida LLC **Mine:** Brooksville South Cement Plant
MSHA ID 0801287

Contractor: TCB Services, LLC
ID P041

Autopsy Conducted: No **Death Certificate Issued:** January 4, 2017

Decision: Not Chargeable

I reviewed the investigative report in the death of  and determined it should not be charged to the mining industry. , a 52-year-old contractor mechanic and maintenance worker, collapsed while delivering bags to the bag house. The mine foreman performed cardiopulmonary resuscitation on  until emergency medical personnel arrived. He was transported to the hospital where he was pronounced dead.

The death certificate states that the manner of death was natural, and the immediate cause of death was coronary artery atherosclerosis. The MSHA investigation did not reveal any environmental or physical conditions that contributed to the death.

Based on the 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