

U.S. Department of Labor

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



APR 13 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-07- [REDACTED]

Deceased: [REDACTED]

Date of Incident: February 2, 2017

Date of Death: February 2, 2017

Operator: Nestle Purina Pet Care
Company

Mine: King William
MSHA ID 4406882

Contractor: Cross-Land Harbour, Inc.
ID Y565

Autopsy Conducted: No

Death Certificate Issued: February 6,
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 49-year-old temporary laborer, was with a group shoveling spilled material from underneath a conveyor when he collapsed and became unresponsive. Mine employees responded, applying an automated external defibrillator and performing cardiopulmonary resuscitation. Emergency medical technicians arrived and treated [REDACTED] with a portable chest compression system during transport to the hospital. Attempts to revive [REDACTED] at the hospital were not successful, and he died a short time later.

The death certificate lists the immediate cause of death as myocardial infarction with hypertension as an underlying cause. According to the MSHA investigation, the State medical examiner conducted a post mortem external examination of [REDACTED] and found no signs of injury or trauma. The MSHA investigation did not reveal any

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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