

U.S. Department of Labor

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



AUG 30 2017

MEMORANDUM FOR: EMILY K. HARGROVE
Acting Administrator for Metal and Nonmetal
Mine Safety and Health

FROM: JEFFREY A. DUNCAN [REDACTED]
Committee Chair
Director for Educational Policy and Development

SUBJECT: Chargeability Review Decision

Case No.: 2017-M-24-[REDACTED]

Deceased: [REDACTED]

Date of Incident: May 30, 2017

Date of Death: May 30, 2017

Operator: Constine Gravel Co.

Mine: Oakley Pit
MSHA ID 20-02976

Contractor: N/A

Autopsy Conducted: Yes

Death Certificate Filed: June 7, 2017

**Autopsy Report Received by
MSHA:** August 18, 2017

**Death Certificate Received by
MSHA:** June 13, 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. Mr. [REDACTED], a 54-year-old front end loader operator, was found lying face down on the ground shortly after a morning meeting. 911 was called, and a miner administered cardiopulmonary resuscitation until emergency first responders took over. Mr. [REDACTED] was pronounced dead on the scene by the county medical examiner.

Both the autopsy report and death certificate state that the manner of death was natural. The autopsy report stated that there were no physical injuries. and [REDACTED] died of "...cardiac tamponade due to ruptured acute myocardial infarction due to atherosclerotic heart disease." The death certificate states the

immediate cause of death as cardiac rupture with cardiac tamponade as a consequence of ruptured acute myocardial infarction. Atherosclerotic coronary heart disease was listed as the underlying cause of death on the death certificate. The MSHA investigation did not reveal any environmental or physical factors that contributed to the death.

Based on the autopsy, death certificate, and MSHA's investigation, I determined that the death of Mr. [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