

U.S. Department of Labor

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



OCT 17 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-28-[REDACTED]

Deceased: [REDACTED]

Date of Incident: June 13, 2017

Date of Death: June 13, 2017

Operator: R .E. Janes Gravel Company

Mine: PLANT #10
MSHA ID 41-01111

Contractor: GCR Tire and Services

Autopsy Conducted: Yes

Death Certificate (abstract): July 20, 2017

Autopsy Report Received by MSHA:
June 20, 2017

**Death Certificate (abstract) Received
by MSHA:** October 4, 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 contract tire repairman, was found by a miner unconscious and unresponsive after performing a tire repair. EMS was contacted and miners performed chest compression until relieved by EMS. However, Mr. [REDACTED] expired.

The death certificate abstract states that the manner of death was natural, and that the immediate cause of death was chronic ischemic heart disease as a consequence of coronary artery disease. Hypertensive cardiovascular disease was listed as an underlying factor. The autopsy report noted the same and in addition stated that morbid obesity and diabetes mellitus were other significant findings. The MSHA investigation did not reveal any environmental or physical conditions 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