



OCT 16 2017

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

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

SUBJECT: Chargeability Review Decision

Case No.: 2017-M-33-[REDACTED]

Deceased: [REDACTED]

Date of Incident: June 13, 2017

Date of Death: June 13, 2017

Operator: GCC Rio Grande, Inc.

Mine: Tijeras Plant & Quarry

Contractor: N/A

Autopsy Conducted: Yes

Death Certificate Issued: June 30, 2017

Autopsy Report Issued: July 19, 2017

Death Certificate Received by  
MSHA: June 30, 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 60-year-old senior control room operator was found by a miner laying on the walkway of a transfer belt. He was not breathing and had no pulse. 911 was called and EMS arrived approximately 15 minutes later. However, resuscitation efforts failed.

The death certificate states that the manner of death was natural, and that the immediate cause of death was atherosclerotic and hypertensive cardiovascular disease. The autopsy report stated the same and in addition noted a clinical history of diabetes mellitus, smoking, and hypertension. 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