

U.S. Department of Labor

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



DEC 13 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-34-[REDACTED]

Deceased: [REDACTED]

Date of Incident: July 20, 2017

Date of Death: July 20, 2017

Operator: Ingram Concrete LLC

Mine: Cox Bend
MSHA ID 41-02977

Contractor: N/A

Autopsy Conducted: Yes

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 48-year-old miner, took his life on mine property while sitting in his personal vehicle.

As part of its investigation, MSHA obtained relevant records associated with the police investigation of Mr. [REDACTED] death. These records show that the police concluded that Mr. [REDACTED] died of a self-inflicted gunshot wound to the chest. They also document that an autopsy was conducted by the medical examiner who concluded that the manner of death was consistent with suicide, and that the cause of death was a gunshot wound to the chest.

Based on the police and MSHA 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
David G. Zatezalo
Wayne D. Palmer
Lawrence Trainor

bcc: Brent Carpenter
Tiffany Smith