

U.S. Department of Labor

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



MAR 2 2018

MEMORANDUM FOR: EMILY K. HARGROVE
Acting Deputy 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-48-[REDACTED]

Deceased: [REDACTED]

Date of Incident: November 20, 2017

Date of Death: November 20, 2017

Operator: Associated Asphalt and
Materials, LLC

Mine: Waldo Quarry
Mine ID 2902152

Contractor: N/A

Autopsy Conducted: No

Death Certificate Issued: March 5,
2018

Decision: Not Chargeable

**Death Certificate Received by
MSHA:** March 15, 2018

I reviewed the investigative report in the death of [REDACTED] and determined it should not be charged to the mining industry. Mr. [REDACTED], a 63-year-old mechanic helper, suddenly collapsed while observing another miner putting transmission fluid into a loader. Miners performed cardiopulmonary resuscitation, and responding emergency medical personnel conducted resuscitative efforts to no avail. Mr. [REDACTED] died at the mine.

The death certificate states that the manner of death was natural, and the immediate cause of death was atherosclerotic and hypertensive cardiovascular disease. A county medical investigator conducted an examination, which included a computed tomography (CT). The CT scan revealed evidence of atherosclerotic and hypertensive cardiovascular disease, which the medical investigator stated as the

cause of death in his report. The MSHA investigation did not reveal any environmental or physical conditions that contributed to the death.

Based on the death certificate, the medical investigator's report, 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
David G. Zatezalo
Wayne D. Palmer
Lawrence Trainor