

U.S. Department of Labor

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



JUN 05 2018

MEMORANDUM FOR: EMILY K. HARGROVE

Acting Deputy Administrator for Metal and Nonmetal
Mine Safety and Health

FROM:

JEFFREY A. DUNCAN

Committee Chair

Director for Educational Policy and Development

SUBJECT:

Chargeability Review Decision

Case No.: 2017-M-49-

Deceased:

Date of Incident: December 13, 2017

Date of Death: December 13, 2017

Operator: Charah Inc.

Mine: Charah Limestone
Mine ID 23-02386

Contractor: N/A

Date of Autopsy: December 14, 2017

Death Certificate Issued: March 22,
2018

Decision: Not Chargeable

**Death Certificate Received by
MSHA:** June 4, 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 loader operator, was found unresponsive in the mine office. Miners performed cardiopulmonary resuscitation, and responding emergency medical personnel conducted resuscitative efforts. However, attempts to revive Mr. [REDACTED] were unsuccessful.

The death certificate states that the manner of death was natural, and both the death certificate and autopsy report state that the cause of death was coronary artery disease. The death certificate and autopsy report also list an occluded tracheostomy tube as a possible contributory factor in the death. The MSHA investigation did not reveal any environmental or physical conditions that contributed to the death.

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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
David G. Zatezalo
Wayne D. Palmer
Lawrence Trainor