

**U.S. Department of Labor**

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



APR 09 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.:** 2018-M-04-[REDACTED]

**Deceased:** [REDACTED]

**Date of Incident:** January 11, 2018

**Date of Death:** January 11, 2018

**Operator:** Fann Contracting Inc.

**Mine:** Portable Plant #1  
Mine ID 0203016

**Contractor:** N/A

**Date of Autopsy:** January 12, 2018

**Death Certificate Certified:** March  
15, 2018

**Decision:** Not Chargeable

**Death Certificate Received by  
MSHA:** April 2, 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 61-year-old mine foreman, collapsed suddenly while in the process of replacing a hydraulic valve. Miners performed cardiopulmonary resuscitation and called 911. Responding emergency medical personnel conducted resuscitative efforts and transported Mr. [REDACTED] to the hospital. However, resuscitative attempts were unsuccessful, and Mr. [REDACTED] was pronounced dead by the county coroner.

Both the death certificate and the autopsy report state that the manner of death was natural, and the immediate cause of death was atherosclerotic and hypertensive cardiovascular and congestive heart disease. The MSHA investigation did not reveal any environmental or physical conditions that contributed to the death.

Based on the death certificate, the autopsy 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