

U.S. Department of Labor

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



JUN 28 2018

MEMORANDUM FOR: EMILY K. HARGROVE
Acting Deputy 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.: 2018-M-08-[REDACTED]

Deceased: [REDACTED] [REDACTED]

Date of Incident: April 17, 2018

Date of Death: April 17, 2018

Operator: Mitteis Gravel

Mine: Mitteis Pit
Mine ID 2501226

Contractor: N/A

Date of Autopsy: NA

Death Certificate Certified: April 20,
2018

Decision: Not Chargeable

**Death Certificate Received by
MSHA:** June 4, 2018

I reviewed the investigative report in the death of [REDACTED] [REDACTED] and determined it should not be charged to the mining industry. Mr. [REDACTED], a 70-year-old equipment/plant operator with a medical history that included two previous myocardial infarctions, was found collapsed in a pasture area near the dredge lake. A co-worker performed cardiopulmonary resuscitation (CPR) and 911 was called. Responding emergency medical personnel conducted resuscitative efforts, including administering one shock with an automated external defibrillator (AED); however, further analysis recommended no additional shock. CPR was continued without success.

The death certificate indicates the manner of death was natural, and the immediate cause of death was acute myocardial infarction due to coronary artery disease and diabetes mellitus type II. The death certificate listed hypertension and hyperlipidemia as other contributing factors. An autopsy was not performed. The MSHA

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investigation did not reveal any environmental or physical conditions that contributed to the death.

Based on the 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