

U.S. Department of Labor

Mine Safety and Health Administration
201 12th Street South, Suite 401
Arlington, Virginia 22202-5452



OCT 16 2018

MEMORANDUM FOR EMILY K. HARGROVE
Acting Deputy Administrator for Metal and Nonmetal
Mine Safety and Health

FROM: KEVIN BURNS [REDACTED]
Acting Committee Chair
Acting Deputy Director for Educational Policy
and Development

SUBJECT: Chargeability Review Decision

Case No.: 2018-M-17-[REDACTED]

Deceased: [REDACTED]

Date of Incident: August 16, 2018

Date of Death: August 16, 2018

Operator: Schildberg Construction
Company Inc.

Mine: Plant #9
Mine ID 13-02216

Contractor: N/A

Autopsy Conducted: No

Death Certificate Certified: August
24, 2018

Decision: Not Chargeable

**Death Certificate Received by
MSHA:** August 27, 2018

I reviewed the investigative report in the death of [REDACTED] and determined it should not be charged to the mining industry. Mr. [REDACTED], age 56, was a lab technician working with miners changing screens when he suddenly collapsed. Cardiopulmonary resuscitation was performed by miners, and 911 called. Emergency response personnel arrived, continued resuscitative efforts, and transported Mr. [REDACTED] to a hospital emergency room where he was pronounced dead.

The death certificate lists the manner of death as natural, and states the immediate cause of death as sudden cardiac death syndrome as a consequence of ventricular fibrillation and atherosclerotic coronary artery disease. The MSHA 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