



FEB 01 2010

MEMORANDUM FOR NEAL H. MERRIFIELD
Acting Administrator for Metal and
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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2009-M-17 [REDACTED]

Deceased: [REDACTED]

Date of Incident: April 08, 2009

Date of Death: April 08, 2009

Operator: E.S. Stone and Structure,
Inc.

Mine: E.S. Stone and Structure Mobile
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Decision: Not Chargeable

In a unanimous decision, the Fatality Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. The deceased, a 51 year old laborer, was palletizing stones when he collapsed. He had indicated that he was not feeling well earlier in the shift and had been told to go home. He chose to stay and perform his normal duties. The stones being handled were between 10 and 15 pounds each. CPR was administered on site and was continued by EMS personnel. [REDACTED] could not be revived.

The autopsy report indicated that he had severe hypertrophic cardiomyopathy (enlargement of the heart) due to atherosclerotic valvular disease and emphysema. The Certificate of Death indicates that the cause of death was severe hypertrophic cardiomyopathy, secondary to rheumatic mitral valvular stenosis and the manner of death was natural.

Based on the death certificate and autopsy report, the Fatality Review Committee members concluded that [REDACTED] died from natural causes and that his death should not be charged to the mining industry.

cc: Joseph A. Main
Gregory R. Wagner, M.D.
Michael A. Davis