



JAN 25 2010

MEMORANDUM FOR NEAL H. MERRIFIELD

Acting Administrator for Metal and  
Nonmetal Mine Safety and Health

FROM:

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SUBJECT:

Fatality Review Committee Decision on Chargeability

Case No.: 2009-M-21 [REDACTED]

Deceased: [REDACTED]

Date of Incident: June 23, 2009

Date of Death: June 23, 2009

Operator: Chico Limestone, Inc.

Mine: Chico Limestone Plant #3

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 70 year customer truck driver, was found by other truck drivers face down near his truck. He was non-responsive and could not be revived by emergency crews. Neither environmental factors nor signs indicating over-exertion were found. [REDACTED] apparently did have a history of heart problems and nitroglycerine pills were found in his hand after he collapsed. The Certificate of Death states that the manner of death was natural and the cause of death was cardiac arrest. No autopsy was performed.

Based on the Certificate of Death and the findings of MSHA's investigation, the 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