



FEB 01 2010

MEMORANDUM FOR NEAL H. MERRIFIELD

Acting Administrator for Metal and
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FROM:

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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2009-M-23-[REDACTED]

Deceased: [REDACTED]

Date of Incident: April 04, 2009

Date of Death: April 04, 2009

Operator: Reith-Riley Materials

Mine: South Bend Sandpit

Decision: Not Chargeable

In a unanimous decision, the Fatality Review Committee has determined that the death of ██████████ should not be charged to the mining industry. On a Saturday, ██████████ and another co-worker were cutting firewood for their own personal use. ██████████ was left on his own to complete loading his truck. A co-worker discovered the body of the deceased the following Monday in a wooded area of the property. The subsequent investigation confirmed that ██████████ was not performing mining related tasks at the time of his death. The Certificate of Death and autopsy report determined that the cause of death was atherosclerotic cardiovascular disease with additional underlying medical conditions of cardiomegaly, aortic stenosis, and pulmonary emphysema.

Based on the Certificate of Death and the autopsy report, the committee members concluded that ██████████ 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