



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-31 [REDACTED]

Deceased: [REDACTED]

Date of Incident: July 30, 2009

Date of Death: July 30, 2009

Operator: North Country Concrete &
Block, Inc.

Mine: Panther Lake Plant & Pits

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 78 year old dozer operator, collapsed as he walked over to his personal vehicle to go to lunch. CPR was begun by mine personnel and continued by an emergency crew. [REDACTED] was transported to a local hospital but was pronounced dead. The death certificate indicated that his death was due to cardio-pulmonary arrest secondary to hypertension. An autopsy was not performed. The MSHA investigation found no environmental issues in this case and no mechanical problems with the dozer he operated.

Based on the death certificate and the results of MSHA's investigation, 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