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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-38 [REDACTED]

Deceased: [REDACTED]

Date of Incident: July 28, 2009

Date of Death: July 28, 2009

Operator: LaFarge Building
Materials, Inc.

Mine: Harleyville Mine and Plant

Contractor: Thompson Construction
Group, Inc. (FQM)

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 38 year old contract electrical supervisor, had been marking the location of electrical boxes at the top of bulk silos. After lunch he returned to the top but indicated to a co-worker that he was having pains in his chest. He went down to the office trailer to rest. He was found 30 minutes later unresponsive in an office chair. CPR was performed but [REDACTED] was pronounced dead at a local hospital. The death certificate and autopsy report indicated that the death was due to natural causes and was caused by a cardiac arrhythmia which was in turn due to cardiomegaly (an enlarged heart). The MSHA investigation found no evidence of physical or environmental hazards at the worksite.

Based on the death certificate, the autopsy report, 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
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