



AUG 12 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-59-

**Deceased:**

**Date of Incident:** August 4, 2009

**Date of Death:** August 4, 2009

**Operator:** Homestake Mining Company  
of California

**Mine:** Ruby Hill Mine

**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. The deceased, a pit foreman, was giving a co-worker a ride in a company pickup when he slumped over against the driver side door. His co-worker was able to stop the truck and call for help.

\_\_\_\_\_ showed no signs of life and emergency services personnel were not able to revive him. MSHA's investigation did not identify any environmental or physical hazards which may have contributed to his death. The duties being performed by \_\_\_\_\_ were routine and no deficiencies were noted after a thorough examination of the pickup. A toxicology screen was negative for alcohol and controlled substances. The death certificate found that the cause of death was a myocardial infarction. An autopsy was not performed.

Based on the certificate of death and the results of MSHA's investigation, 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.  
Robert L. Phillips