

U.S. Department of Labor

Mine Safety and Health Administration  
1100 Wilson Boulevard  
Arlington, Virginia 22209-3939



MAR 28 2011

MEMORANDUM FOR NEAL H. MERRIFIELD  
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-69 [REDACTED]

Deceased: [REDACTED]

Date of Incident: October 1, 2009

Date of Death: October 1, 2009

Operator: Newmont USA, Ltd.

Mine: South Area

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. [REDACTED] was walking to his water truck at the beginning of his shift when he was found by co-workers lying on the ground within five feet of the vehicle. The scene was examined and no external source of injury was found. In addition, no electrical hazards were found.

The autopsy report identified an enlarged heart and severe coronary artery disease with more than 90% occlusion of several coronary arteries. The toxicology screen did not detect any evidence of alcohol or drug use. The death certificate indicated that the death was due to an acute myocardial infarction secondary to coronary artery atherosclerosis.

Based on the certificate of death, the autopsy report and the MSHA investigation, the committee members concluded that [REDACTED] died as a result of natural causes and that his death should not be charged to the mining industry.

cc: Joseph A. Main  
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