



AUG 01 2012

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.: 2011-M-28

Deceased:

Date of Incident: February 13, 2011

Date of Death: February 13, 2011

Operator: Nestle Purina Pet Care
Company

Mine: King William

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. _____ a 40 year old maintenance technician, lost control of his motorcycle just outside the gate to the employee entrance and struck the gate control arm barrier with his head. Emergency response personnel were summoned and he was pronounced dead at the scene.

The death certificate indicated that the death was accidental and was caused by blunt trauma to the head. An autopsy was not performed. The accident investigation found that the deceased lost control of his motorcycle some 25 feet from the mine entrance and the motorcycle slid down the roadway before striking the control arm. His helmet was dislodged.

The MSHA investigation determined that the deceased was employed at the mine and that he died on mine property. He was not performing mine related work activity nor was his death caused by mining activity or equipment. The committee members concluded that _____ death should not be charged to the mining industry.

cc: Joseph A. Main
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