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MEMORANDUM FOR NEAL H. MERRIFIELD
Administrator for Metal and
Nonmetal Mine Safety and Health

FROM: JEFFREY A. DUNCAN *Jeffrey A. Duncan*
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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2011-M-35 [REDACTED]

Deceased: [REDACTED]

Date of Incident: June 9, 2011

Date of Death: June 9, 2011

Operator: Yager Materials, LLC.

Mine: Riverside Stone Mine

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], a 67 year old equipment operator, was found unresponsive and without a pulse in his front-end loader. Co-workers began CPR and he was air-lifted to a local hospital where he was subsequently pronounced dead.

The death certificate indicated that the manner of death was natural and that the cause of death was cardiovascular disease secondary to hypertension and diabetes. An autopsy was not performed. An examination of the loader found no hazards that could have caused or contributed to [REDACTED] death.

Based on the findings of the death certificate and the results of MSHA's investigation, the committee members concluded that [REDACTED] died due to natural causes and that his death should not be charged to the mining industry.

cc: Joseph A. Main
Anthony C. Mayville
Patricia W. Silvey