



AUG 01 2012

MEMORANDUM FOR NEAL H. MERRIFIELD
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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: 2011-M-37

Deceased:

Date of Incident: July 11, 2011

Date of Death: July 23, 2011

Operator: Vulcan Construction
Materials

Mine: Cherokee Quarry

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 56 year old lead repairman, was found by a co-worker slumped over and minimally responsive while resting in the shade at the worksite. He was transported by ambulance on July 11, 2011, to a local hospital where he was treated for heat exhaustion. He was released from the hospital on July 14, 2011. His doctor released him to return to work without restrictions on July 18, 2011.

On the day he was scheduled to return to work he was feeling poorly and was seen by his physician. He was diagnosed with a urinary tract infection and given medication. He was released to return to work without restrictions on July 25, 2011. On July 23, 2011, he was discovered by his wife to be unresponsive and not breathing. He was transported to a local hospital where he was pronounced dead one hour later. The death certificate indicated that the cause of death was acute pulmonary embolism. No autopsy was performed.

Based on the findings of the death certificate and the results of MSHA's investigation, the 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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