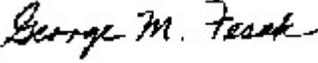


MEMORANDUM FOR FELIX A. QUINTANA

Administrator for Metal and Nonmetal  
Mine Safety and Health

FROM: GEORGE M. FESAK   
Chairman, MSHA's Fatality Review Committee

SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: M-2007-16

Date of accident: March 12, 2007

Date of death: March 12, 2007

Mine: Meadows Stone & Paving, Inc.

Operating Co.: Meadows Stone & Paving, Inc.

Decision: Non-chargeable

In a unanimous decision the Fatality Review Committee has determined that the death of the decedent should be non-chargeable to the mining industry. The death certificate finding that the decedent died from an "Acute myocardial infarction" and that he suffered from "Severe coronary artery disease" were important factors in the decision made by the committee. The deceased, a 66 year truck driver, was performing his normal duties at the time of his death. His truck was examined for exhaust leaks. Carbon monoxide and oxygen sampling tests were performed in the cab as well. No malfunctions were found. In addition no physical trauma was found.

cc: Richard E. Stickler  
John Pallasch  
Robert M. Friend