

APR 18 2007

MEMORANDUM FOR FELIX A. QUINTANA

Administrator for Metal and Nonmetal
Mine Safety and Health

15/ Syed Hafeez

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

SUBJECT: Chargeability Determination

After a careful review of the investigative reports and supporting documentation, the MSHA Fatality Review Committee has reached a unanimous decision on the following chargeability case listed below.

| <u>Case Number</u> | <u>Mine Name</u> | <u>Mine ID</u> | <u>Accident Date</u> | <u>Chargeability Determination</u> |
|--------------------|-------------------|----------------|----------------------|--|
| M-2007-08 | C & R Gravel, Inc | 13-02298 | December 09, 2006 | Non-chargeable |

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

bcc: MSHA File Copy, Code SEC 103
M.Boman:lj:4/12/07:email/assignment
Correction made 4/18/07 per D.Hill/M.Boman