



BRB No. 25-0320 BLA
Case No. 2020-BLA-05167

SHIRLEY MASSEY
(o/b/o GARY MASSEY)

Claimant-Respondent

v.

CATENARY COAL COMPANY

and

Self-insured Through ARCH RESOURCES,
INCORPORATED

Employer/Carrier-
Petitioners

DIRECTOR, OFFICE OF WORKERS'
COMPENSATION PROGRAMS, UNITED
STATES DEPARTMENT OF LABOR

Party-in-Interest

NOT-PUBLISHED

DATE ISSUED: 08/06/2026

ORDER

On October 1, 2025, the United States Court of Appeals for the Fourth Circuit, within whose jurisdiction this case arises, held in *Hobet Mining, Inc. v. Director, OWCP [Meredith]*, 156 F.4th 385 (4th Cir. 2025), *reh'g denied* (Mar. 16, 2026), that Arch Coal Company, Inc., (Arch)¹ the parent company of Hobet Mining, could not be held liable as a self-insurer for the payment of benefits arising out of a miner's employment with Arch's former subsidiaries, including Hobet Mining, when Patriot Coal, the subsequent owner and

¹ Arch Coal, Inc., is also known as Arch Resources. Arch has merged with CONSOL Energy and is now known as Core Natural Resources. Employer's Mot. to Dismiss at 1 n.1.

self-insurer of Hobet Mining at the time the claim was filed, went bankrupt. The parties agree that *Meredith* controls this case.

On April 9, 2026, the Director, Office of Workers' Compensation Programs (the Director), filed a motion to hold the appeal in this case in abeyance until *Meredith* is not subject to further appeal.

On July 16, 2026, the Benefits Review Board issued an Order denying the Director's motion to hold the appeal in this case in abeyance, dismissed Employer and Arch from the case pursuant to *Meredith*, and ordered the Director to inform the Board within seven days whether he elects to contest entitlement in this case. *See* 20 C.F.R. §§725.414(a)(3)(iii), 725.497(d). In a July 17, 2026 response to the Board's Order, the Director states he does not oppose Claimant's entitlement to benefits.

In view of the above, the Board dismisses this appeal and remands this case to the district director for the payment of benefits by the Black Lung Disability Trust Fund. *See* 26 U.S.C. §9501(d)(1)(B); 20 C.F.R. §725.1(c), (e).

SO ORDERED.

JONATHAN ROLFE, Acting Chief
Administrative Appeals Judge

DANIEL T. GRESH
Administrative Appeals Judge

GLENN E. ULMER
Administrative Appeals Judge