

U.S. Department of Labor

Benefits Review Board
200 Constitution Ave. NW
Washington, DC 20210-0001



BRB No. 24-0282 BLA
Case No. 2019-BLA-06231

CALVIN ALLEN

Claimant-Respondent

v.

HOBET MINING, INCORPORATED

and

Self-Insured Through ARCH RESOURCES

Employer/Carrier-
Petitioners

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

Party-in-Interest

NOT-PUBLISHED

DATE ISSUED: 06/30/2026

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

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 Opposition to the Director's Mot. at 1 n.1.

Hobet Mining, Inc., self-insured through Arch Resources, (Employer) asserts in its petition for review and supporting briefing that it should be dismissed as the responsible operator in this case pursuant to *Meredith*. Employer's Brief at 24, 26-28; Employer's Reply to the Director's Response at 1, 3-17. On April 8, 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 June 3, 2026, the Benefits Review Board issued an Order denying the Director's motion to hold the appeal in this case in abeyance, dismissed Employer as the responsible operator, 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 June 10, 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.

DANIEL T. GRESH, Chief
Administrative Appeals Judge

JONATHAN ROLFE
Administrative Appeals Judge

GLENN E. ULMER
Administrative Appeals Judge