



BRB Nos. 24-0355 BLA and 24-0356 BLA
Case Nos. 2021-BLA-05769 and 2021-BLA-05916

DEBORAH R. BAKER)
(o/b/o and Widow of ALGER R. BAKER,)
JR.))
)
Claimant-Respondent)
)
v.)
)
HOBET MINING, INCORPORATED)
)
and)
)
ARCH RESOURCES, INCORPORATED)
)
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, Inc. (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,

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.

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.

On October 14, 2025, Core Natural Resources filed a motion to dismiss Hobet Mining and Arch (Employer) as the responsible operator in these cases pursuant to *Meredith*. In his March 30, 2026 response to this motion, the Director, Office of Workers' Compensation Programs (the Director), requested that the Benefits Review Board hold the appeal in these cases in abeyance until *Meredith* is not subject to further appeal.

On June 16, 2026, the Board issued an Order denying the Director's request to hold the appeal in these cases in abeyance, granting the motion to dismiss Employer as the responsible operator, and ordering the Director to inform the Board within seven days whether he elects to contest entitlement in these cases. *See* 20 C.F.R. §§725.414(a)(3)(iii), 725.497(d). In a June 23, 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 the appeal and remands these cases 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

MELISSA LIN JONES
Administrative Appeals Judge

GLENN E. ULMER
Administrative Appeals Judge