



BRB Nos. 24-0377 BLA and 24-0433 BLA
Case Nos. 2022-BLA-05613 and 2024-BLA-05378

JOYCE E. JONES)
(o/b/o and Survivor of ADDISON JONES))
)
Claimant-Respondent)
)
v.)
)
APOGEE COAL COMPANY, LLC)
)
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: 06/17/2026

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 October 14, 2025, Core Natural Resources filed a motion to dismiss Apogee Coal Company, LLC, and Arch (Employer) as the responsible operator in these cases pursuant to *Meredith*. On April 3, 2026, the Director, Office of Workers' Compensation Programs (the Director), filed a motion to hold the appeals in these cases in abeyance until *Meredith* is not subject to further appeal.

On May 29, 2026, the Benefits Review Board issued an Order denying the Director's motion to hold the appeals in these cases in abeyance, granted the motion to dismiss Employer as the responsible operator, and ordered 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 5, 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 these appeals 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

JONATHAN ROLFE
Administrative Appeals Judge

GLENN E. ULMER
Administrative Appeals Judge