



BRB Nos. 24-0256 BLA and 25-0027 BLA
Case Nos. 2022-BLA-05961 and 2024-BLA-05623

NORMA MAE WILLIS)
(o/b/o and Survivor of CECIL WILLIS))

Claimant-Respondent)

v.)

APOGEE COAL COMPANY LLC)

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: 06/10/2026

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

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 Motions to Dismiss at 1 n.1.

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.

On October 14, 2025, Apogee Coal Company LLC, self-insured through Arch Resources, Incorporated, (Employer) filed motions to dismiss it as the responsible operator in these cases pursuant to *Meredith*. On April 7, 2026, the Director, Office of Workers' Compensation Programs, (the Director) filed motions 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 motions to hold the appeals in these cases in abeyance, granted Employer's motions to dismiss it as the responsible operator, and ordered the Director to inform the Board within ten 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

MELISSA LIN JONES
Administrative Appeals Judge

GLENN E. ULMER
Administrative Appeals Judge