

**MSHA News Release: [06/04/2012]**

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**MSHA resolves delinquent debt settlement with Resurrection Coal Co.**  
*Complaint dismissed after collection of more than \$44,000 in civil penalties*

**ARLINGTON, Va.** — The U.S. Department of Labor's Mine Safety and Health Administration today announced that a complaint filed by the department with the U.S. District Court for the Southern District of West Virginia against Resurrection Coal Co. Inc. for collection of delinquent civil penalties has been dismissed upon receipt of the final payment installment. The entire civil penalty assessment totaled \$44,158.33.

On Jan. 12, the U.S. attorney for the Southern District of West Virginia filed a complaint against Resurrection Coal for failing to pay final civil penalties that were assessed for violations cited by MSHA under provisions of the Federal Mine Safety and Health Act of 1977. The complaint demanded a judgment against the company for delinquent debt totaling \$42,656.89 plus accrued interest of \$1,501.44 and any interest accrued until the payment was balanced.

The civil penalties, all of which had become final orders of the Federal Mine Safety and Health Review Commission, were assessed for 245 violations of mine safety and health standards found during inspections at three of Resurrection Coal's operations: Mine No. 1 and Mine No. 2 in McDowell County, W.Va., and Mine No. 4 in Wyoming County, W.Va.

On March 14, Resurrection Coal reached a settlement with the U.S. Attorney's Office to pay the full amount requested in the complaint in installments. The first installment of \$14,719 was paid the following morning. After the third and final payment was received and cleared by the Treasury Department, the U.S. Attorney's Office dismissed the complaint.

"Mine operators must take the monetary penalties assessed against them very seriously," said Joseph A. Main, assistant secretary of labor for mine safety and health. "I applaud the efforts of the U.S. Attorney's Office to collect the delinquent debt owed by Resurrection Coal. MSHA will continue to provide any assistance necessary to the Justice and Treasury departments as they take action to hold mine operators accountable for assessed civil penalties."