

News Release



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MSHA, US attorney pursue scofflaw mine operators for unpaid fines *3 Kentucky coal mines sued for nearly \$665,000 in delinquent civil penalties*

ARLINGTON, Va. – The U.S. Department of Labor’s Mine Safety and Health Administration (MSHA) today announced that, on behalf of the secretary of labor, the U.S. Attorney’s Office in Kentucky has filed a complaint with the U.S. District Court for the Eastern District of Kentucky to collect \$639,034.98 in delinquent civil penalties for violations at Double A Mining’s # 4 Mine and an additional \$25,749.94 in unpaid civil penalties for violations at B King Coal Inc.’s #1 and #2 Mines.

All three mines are located in Knott County, Ky. In addition to seeking penalties from the mining companies, the lawsuit seeks to hold four individual defendants — Larry King, Barry King, Alice Hall and Kermit Hall — liable for the unpaid penalties.

“There is no excuse for mine operators to deliberately flout their obligations to pay civil penalties for safety and health violations,” said Joseph A. Main, assistant secretary of labor for mine safety and health. “MSHA and the Department of Labor will not hesitate to hold scofflaw operators accountable.”

The civil penalties result from approximately 478 citations issued for violations at Double A’s #4 Mine beginning in August 2005 and approximately 145 citations for violations at B King Coal Inc.’s #1 and #2 Mines from August 2004 through December 2006.

When none of the penalties was contested by the mine operator, they became final orders of the Mine Safety and Health Review Commission and required payment within 30 days of receipt.

In March 2008, MSHA issued the #4 Mine a withdrawal order for failure to pay civil penalties. Since that time, the mine has been shut down. This time was the first the agency had issued a withdrawal order to a mine operator for failure to pay delinquent fines. B King Coal Co.’s #1 and #2 Mines have been abandoned.

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