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## **Federal court grants judgment against Kentucky coal mine operator**

**ARLINGTON, Va.** — The U.S. District Court for the Eastern District of Kentucky has granted a default judgment against D & C Mining Corp. of Harlan County, Ky., affirming the U.S. Department of Labor’s Mine Safety and Health Administration’s complaint. The mine operator owes \$1.67 million in unpaid civil penalties for violations of the Federal Mine Safety and Health Act of 1977, along with interest and administrative costs.

According to the judgment, D & C is enjoined from violating or failing or refusing to comply with any final orders issued under the Mine Act by failing to pay already delinquent or future civil money penalties. The judgment also orders D & C to post an appropriate bond with MSHA to guarantee future compliance with the Mine Act – including the payment of final orders issued under the Mine Act – and to keep all property in which it holds an ownership interest securely at the site of its existing mine and not sell or move the property to any other location.

In March 2012, the Labor Department and the U.S. Attorney’s Office for the Eastern District of Kentucky filed the complaint against D & C Mining alleging that the company owes \$1.67 million in civil penalties for 1,244 violations cited between Jan. 24, 2006, and Feb. 8, 2012.

D & C Mining has undergone 10 impact inspections by MSHA since April 2010, more than any other mining operation in the country. The monthly inspections target mines that merit increased agency attention and enforcement due to their poor compliance history or particular compliance concerns.

“Not only has this mine operator repeatedly disregarded health and safety standards and put its miners at tremendous risk, it has flouted any attempt by the federal government to collect penalties for violations that have been assessed,” said Joseph A. Main, assistant secretary of labor for mine safety and health. “MSHA will continue to work with the Department of Justice to pursue mine operators that blatantly refuse to pay their penalties while continuing to operate.”

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