

MASSEY ENERGY CO  
Form 8-K  
December 02, 2010

**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**  
**WASHINGTON, D. C. 20549**

**FORM 8-K**

**CURRENT REPORT**

**PURSUANT TO SECTION 13 OR 15(d) OF THE**  
**SECURITIES EXCHANGE ACT OF 1934**

**Date of report (Date of earliest event reported): December 2, 2010 (December 1, 2010)**

**MASSEY ENERGY COMPANY**

**(Exact Name of Registrant as Specified in Its Charter)**

**Delaware**  
**(State of Incorporation)**

**1-7775**  
**(Commission File Number)**  
**4 North 4<sup>th</sup> Street, Richmond, Virginia 23219**

**95-0740960**  
**(I.R.S. Employer Identification No.)**

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(Address of principal executive offices) (Zip Code)

**Registrant's telephone number, including area code: (804) 788-1800**

N/A

(Former name, former address and former fiscal year, if changed since last report date)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- .. Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- .. Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- .. Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- .. Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

**Item 8.01 Other Events**

On July 21, 2010, the Dodd-Frank Wall Street and Consumer Protection Act (the Dodd-Frank Act ) was enacted. Section 1503 of the Dodd-Frank Act contains new reporting requirements regarding mine safety, including disclosing on a Current Report on Form 8-K the receipt of an imminent danger order under section 107(a) of the Federal Mine Safety and Health Act of 1977 (the Mine Act ) issued by the Mine Safety and Health Administration.

On December 1, 2010, Rum Creek Coal Sales, Inc., a subsidiary of Massey Energy Company (the Company ) and the operator of the Company s Camp Branch Mine, received an imminent danger order under section 107(a) of the Mine Act. The order stated that the surface operation had received more than two inches of rain overnight, causing a vertical spoil bank to be in danger of failing and covering both the mobile equipment operating near the bank and the operators of the equipment with spoil. The Company is currently evaluating the condition cited in the order and considering potential plans for abatement. No injuries resulted from the condition described in the order.

**SIGNATURE**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**MASSEY ENERGY COMPANY**

Date: December 2, 2010

By: /s/ Richard R. Grinnan  
Richard R. Grinnan  
Vice President and Corporate Secretary