# 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): April 8, 2010 (April 5, 2010)

# **MASSEY ENERGY COMPANY**

(Exact Name of Registrant as Specified in Its Charter)

**Delaware** (State of Incorporation) 1-7775 (Commission File Number) 95-0740960 (I.R.S. Employer Identification No.)

4 North 4th Street, Richmond, Virginia (Address of principal executive offices) 23219 (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 7.01 Regulation FD Disclosure

On April 5, 2010, an explosion occurred at the Upper Big Branch mine in Montcoal, West Virginia, operated by our subsidiary, Performance Coal Company. The explosion resulted in 25 fatalities as of the date of this Current Report on Form 8-K ("Form 8-K").

We are deeply saddened by the loss of these valued members and are actively working with state and federal regulators to investigate and identify the causes of the explosion. Efforts also are underway to assess the damage caused by the explosion and the impact on our operations.

On April 5, 6 and 7, 2010, we published press releases relating to the explosion and rescue efforts. The full text of these press releases is furnished as Exhibits 99.1, 99.2, 99.3 and 99.4 to this Form 8-K.

In addition, on April 8, 2010 we posted a statement to our stockholders regarding the explosion on our web site (go to <u>www.masseyenergyco.com</u>, then click on "Investors"), the full text of which is furnished as Exhibit 99.5 to this Form 8-K.

The information in this Item 7.01 and Item 9.01(d) is being furnished and will not be deemed "filed" for the purposes of Section 18 of the Securities Exchange Act of 1934 (the "Exchange Act"), or otherwise subject to the liabilities of that Section. Such information shall not be incorporated by reference into any registration statement or other document pursuant to the Securities Act of 1933 or the Exchange Act, except as may be expressly set forth by specific reference in any such filing.

### Item 9.01 Financial Statements and Exhibits

(d) Exhibits

- 99.1 Press release dated April 5, 2010
- 99.2 Press release dated April 6, 2010
- 99.3 Press release dated April 7, 2010
- 99.4 Press release dated April 7, 2010
- 99.5 Massey Statement to Shareholders Regarding Upper Big Branch Explosion dated April 8, 2010

#### 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: April 8, 2010

By: /s/ Richard R. Grinnan

Richard R. Grinnan Vice President and Corporate Secretary

# **Exhibit Index**

| Exhibit No. | Description   |
|-------------|---|
| 99.1        | Press release dated April 5, 2010   |
| 99.2        | Press release dated April 6, 2010   |
| 99.3        | Press release dated April 7, 2010   |
| 99.4        | Press release dated April 7, 2010   |
| 99.5        | Massey Statement to Shareholders Regarding Upper Big Branch Explosion dated April 8, 2010 |



#### FOR IMMEDIATE RELEASE

*Contact:* Jeff Gillenwater 304-369-8500

## STATEMENT FROM MASSEY ENERGY ON UPPER BIG BRANCH

JULIAN, WV, April 5, 2010 – Massey Energy Company (NYSE:MEE)

Massey Energy Chairman and CEO Don Blankenship issued the following statement:

"It is with a heavy heart that Massey Energy confirms at this hour 7 dead and 19 miners unaccounted for. However, until we are able to notify next-of-kin, we will not release their names.

"Our top priority is the safety of our miners and the well-being of their families. We are working diligently on rescue efforts and continue to partner with all of the appropriate agencies.

"Our prayers go out to the families of the miners. We want to assure the families of all the miners we are taking every action possible to locate and rescue those still missing," said Blankenship.

Massey Energy Company, headquartered in Richmond, Virginia, with operations in West Virginia, Kentucky and Virginia, is the largest coal producer in Central Appalachia and is included in the S&P 500 Index.



## FOR IMMEDIATE RELEASE

*Contact:* Jeff Gillenwater 304-369-8500

#### UPDATE FROM MASSEY ENERGY ON UPPER BIG BRANCH

JULIAN, WV, April 6, 2010 – Massey Energy Company (NYSE:MEE) is confirming twenty-five fatalities at its Upper Big Branch Mine, resulting from a tragic explosion. Additionally, two miners were transported earlier to hospitals and four miners are still missing at this time. Rescue efforts are currently suspended due to conditions underground. Rescue efforts will resume as soon as conditions allow.

Massey Chairman and CEO Don Blankenship is on site at the Upper Big Branch mine. Senior Vice President and Chief Operating Officer Chris Adkins and Vice President of Safety & Health, Elizabeth Chamberlin are coordinating Massey's search and rescue efforts with State and Federal officials.

"Tonight we mourn the deaths of our members at Massey Energy," said Don Blankenship. "I want to offer my condolences to the miners' families who lost loved ones at Upper Big Branch. And I want to thank the rescue teams and the Massey members who continue to work hard on behalf of our miners and their families."

Massey Energy Company, headquartered in Richmond, Virginia, with operations in West Virginia, Kentucky and Virginia, is the largest coal producer in Central Appalachia and is included in the S&P 500 Index.

Exhibit 99.3



# FOR IMMEDIATE RELEASE

*Media Hotline: 1-877-534-5180* 

#### UPDATE ON RESCUE EFFORTS FROM MASSEY ENERGY

JULIAN, WV, April 7, 2010 – Massey Energy Company (NYSE:MEE) is providing the following information in an effort to update the media and the public regarding ongoing rescue and recovery efforts at the Upper Big Branch mine.

#### When will the victims be identified?

There are twenty five confirmed fatalities. Two workers remain hospitalized.

Eleven have been identified. Seven of the identified have been removed from the site. Four of the identified remain in the coal mine.

Fourteen have been confirmed as fatalities but not identified.

The mine rescue teams' job is to search for survivors. The mine rescue teams have a limited amount of air and have to cover as much of the mine as fast as they can in their search for survivors. While focused on looking for survivors, the teams encountered unfavorable atmospheric conditions. The teams were ordered to exit the mine quickly before they could identify all the fatally injured miners. As soon as atmospheric conditions in the mine improve, mine rescue teams will re-enter the mine to continue the search for the four missing workers and recover and identify the bodies of the fourteen unidentified victims.

#### What are the next steps?

Massey will continue to provide regular updates to the family members.

There are four drilling rigs on site and the Company is currently drilling bore holes approximately 1100 feet into the mine to bring the atmospheric conditions to a safe level that will allow the mine rescue teams to re-enter and continue their search and rescue efforts.

One bore hole reached the headgate area of the mine early this morning. An exhaust fan will be placed on the hole to remove bad air from the mine.

A second bore hole is 535 feet down in the same area.

A third bore hole is 100 feet down in an area north of the headgate area. This hole will be use to monitor underground atmospheric conditions.

A fourth bore hole will be placed in the tailgate area to monitor underground atmospheric conditions and a fifth hole will be placed in the headgate area.

How is Massey Energy communicating with the families?

Massey Energy is devoting its attention and resources to the ongoing rescue efforts and the families. The Company is committed to providing the families with accurate, timely information.

In an effort to ensure the families receive only information confirmed by State and Federal Authorities, the Company established an area at the Performance Coal Training Center for families to meet directly with Company and Government Officials. Chairman Don Blankenship participated in meetings with the families on Monday and Tuesday. Now that the drilling work has begun to penetrate the seams and the rescue teams are waiting for the atmosphere to improve, Blankenship will begin more in depth meetings with the families.

Company officials met with the families at the Performance Coal Training Center earlier this morning and will continue to meet every two hours with the families.

In addition, the Company has established a toll free hotline (1-877-534-5152) for families to call if they require counseling or other services and assistance. Kanawha Pastoral Counseling Center is coordinating counseling services.

A call center hotline has also been established for media inquiries. Members of the media may call 1-877-534-5180.

Exhibit 99.4



## FOR IMMEDIATE RELEASE

*Media Hotline: 1-877-534-5180* 

#### UPDATE ON RESCUE EFFORTS FROM MASSEY ENERGY

JULIAN, WV, April 7, 2010 – Massey Energy Company (NYSE:MEE) is currently assembling mine rescue teams in order to be fully prepared and ready to enter the mine immediately upon official clearance from the appropriate authorities.

Massey Chairman and CEO Don Blankenship has been on site today and meeting with families all afternoon except for a short period when he was asked to meet with MSHA, following which he provided a brief update to Governor Manchin. He has now returned to meet with families and intends to do so into the evening.

Massey continues to devote its attention and resources to the ongoing rescue efforts and the families while working closely with Federal and State agencies.

Massey Energy Company, headquartered in Richmond, Virginia, with operations in West Virginia, Kentucky and Virginia, is the largest coal producer in Central Appalachia and is included in the S&P 500 Index.

### Massey Statement to Shareholders Regarding Upper Big Branch Explosion

As shareholders of Massey Energy Company, we know you join with us in concern and sympathy for the families who lost loved ones in the recent explosion at the Upper Big Branch (UBB) mine. This is a terrible tragedy, and the loss of our members deeply affects each of us at Massey. We want to reassure you that we are working diligently to provide for the needs of families affected by this tragedy. We are also working around the clock to regain access to the mine so the search and rescue efforts can resume.

Following an event of this nature there is always a period of uncertainty. We are providing this communication to update you on our expectations for our operations going forward and provide you with other information.

#### Sales Impact

Our sales plan for the balance of 2010 was to ship approximately 1.6 million tons of metallurgical coal from the UBB mine. The average price per ton contained in our 2010 sales plan for the UBB coal was approximately \$91.00.

#### Mitigation

We are currently working on plans to mitigate the lost production at UBB by increasing production at other mines. We have a significant amount of mining equipment available that can be deployed as well as mines where we can produce additional coal similar in quality to that of UBB. We also anticipate that because of our mitigation efforts, as well as attrition at other mine locations, we will be able to put to work the vast majority of UBB miners not working due to the accident. The mitigation plan will take some time to finalize and implement. Changes to mine plans will need to be approved by the appropriate agencies and authorities. Even with the mitigation efforts, we do not believe we can replace 100 percent of the planned UBB production for 2010.

#### Insurance Coverage

Coal mining is subject to inherent risks. For some of these risks we maintain third-party insurance coverage and for some we are self insured.

We self-insure our underground mining equipment, including our longwalls. At UBB we were operating a longwall and four underground miner sections. The condition of this equipment is unknown at this time, but we believe much of it will be recoverable.

We do not currently carry business interruption insurance for the UBB mine.

We do have third-party insurance coverage that applies to litigation risk. We believe this coverage will apply to litigation that may stem from the UBB explosion.

#### Safety Statement

The safety of our members has been and will continue to be our top priority every day. Media reports suggesting that the UBB tragedy was the result of a willful disregard for safety regulations are completely unfounded. Our lost-time incident rate has been better than the industry average for 17 of the past 19 years, improving significantly in recent years. These improvements have been achieved through concerted effort and significant investment.

At Massey, safety is everyone's concern. We are committed to instilling a culture of safety through our S-1 (Safety First) program. S-1 combines training, mentoring, monitoring, safety innovation, and risk reduction. We continue to invest in the development of safety innovations that exceed industry and regulatory standards. Our past innovations have become industry standards such as the Massey reflective stripes on miners' clothing and flapper pads on roof bolting equipment. More recently, we have developed proximity devices that automatically shut down equipment if a person gets too close. We are also working on a revolutionary new miner helmet that will provide improved safety as well as convenience. Our safety efforts and accomplishments are well known and acknowledged by our industry.

Since the passage of the Miner Act in 2006, we have worked hard to implement the requirements of the Miner Act, including the usage of tracking devices and shelters.

Media coverage on the UBB incident has referred to safety violations issued to UBB by MSHA without placing the numbers in context. Since January 2009, UBB has had less than one violation per day of inspection by MSHA, a rate consistent with national averages. We do not condone any violation of MSHA regulations, and we strive to be in compliance with all regulations at all times. Most of the citations issued by MSHA to UBB in the last year were resolved on the same day they were issued.

#### The Future at UBB

We expect to re-open the UBB mine at some point in the future. There is no way to predict at this time when we can resume normal operations. Our focus at this point remains on regaining access to the mine so search and rescue efforts can be continued. We plan to work in full cooperation with state and federal agencies in a full investigation into the cause of the explosion. Only following the conclusion of the full investigation and remediation of any issues identified will we be able to determine when the mine will re-open.

#### **Cumberland Acquisition**

We expect the acquisition of Cumberland Resources to proceed as scheduled.

The tragedy at UBB weighs heavily on us at Massey. However, we will not let this accident deter us from continuing to instill a culture of safety at all levels. As we have always done in the

past, we will conduct extensive reviews of the UBB accident and work in every way possible to ensure that a similar incident doesn't happen again. Safety is and will continue to be everyone's top priority.

Thank you for your continued support of Massey Energy Company. Please do not hesitate to contact us if you have further questions or concerns.

FORWARD-LOOKING STATEMENTS: Certain statements in this statement constitute "forward-looking statements" within the meaning of Section 27A of the Securities Act of 1933, as amended, and Section 21E of the Securities Exchange Act of 1934, as amended, and are intended to come within the safe harbor protection provided by those sections. Any forward-looking statements are also subject to a number of assumptions regarding, among other things, future economic, competitive and market conditions. These assumptions are based on facts and conditions as they exist at the time such statements are made as well as predictions as to future facts and conditions, the accurate prediction of which may be difficult and involve the assessment of circumstances or events beyond our control. We disclaim any intent or obligation to update these forward-looking statements unless required by securities law, and we caution the reader to not rely on them unduly.