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Issue 4 • 2020

ENERGY

From the Mine to the Utility



**BIDEN
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AFFORDABLE,
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**2020 COAL
MINER DEATHS**

**AUSTRALIA'S
LAKE KEPWARI**

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Texas Moves
to Control Coal Ash **20**



World News:
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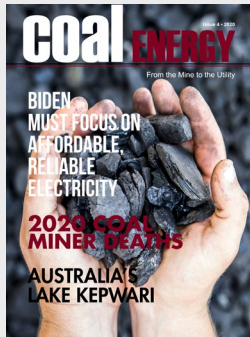


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letter from THE PUBLISHER



JANUARY 2021

Dear readers,

Welcome to Issue 4, 2020.

Coal Energy serves two distinct purposes.

The first is to be an easy quick review source for companies that are members of one or more of the coal associations and groups.

The four main coal groups/associations include American Coal Council, National Coal Transportation Association, American Coal Ash Association and RMEL Utility League. If you are a member of one or more of these groups or are considering membership, Coal Energy can give you a comparison and membership lists so that you can best decide which association(s) fit your networking and marketing needs. Our goal is to provide a simple overview to briefly inform you saving you time and research on each individual association. We also include association events and some brief association news so that members of more than one group can have a summary of what is going on across the industry associations.

The second purpose of **Coal Energy** is to provide a memorial for coal related industry deaths. Each year we publish a section or separate issue dedicated to the fallen miners in our industry. Please take a moment of silence for our five miners who passed away in 2020.

One of our main features in this issue is a sound off on how Biden must focus on affordable, reliable electricity. To avoid crippling the U.S economy, it is virtually impossible to eliminate all of the fossil fuel power plants currently supplying 63 percent of America's electricity.

Aside from our distinct purposes listed above we include world news and press releases.

In this issue, we take a look at Australia's Lake Kepwari, and how it has been reclaimed to a water sports landmark. We also take a look at how Texas is close to finalizing a years long effort to wrangle control of coal ash pollution from the EPA.

With the ongoing trend and convenience of electronic publications, we are pleased to inform you our online readership is increasing daily. To be added to our digital delivery database, please send an email to info@martonickpublications.com with your subject as Digital Delivery. We are proud to announce that our facebook page now has a weekly reach of over 5,000 contacts and is liked by 1,700 individuals and companies who support coal and coal energy.

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And again, thank you for picking up, or clicking on, another edition of **Coal Energy**.

If you have any questions, editorial submissions, advertising interest or just comments about Coal Energy please feel free to email me directly at maria@martonickpublications.com.

Warmest regards,

Maria Martonick

President

Martonick Publications, Inc.



ASSOCIATION COMPARISONS



THE NATIONAL MINING ASSOCIATION

MISSION:

NMA's mission is to build support for public policies that will help Americans fully and responsibly benefit from our abundant domestic coal and mineral resources. Our objective is to engage in and influence the public process on the most significant and timely issues that impact mining's ability to safely and sustainably locate, permit, mine, transport and utilize the nation's vast resources.

NMA serves its membership by:

- Promoting the safe production and use of coal and mineral resources
- Establishing a strong political presence in the Nation's Capital
- Serving as the information center for and a single voice of U.S. mining
- Addressing the current and future policy needs of U.S. mining, mining equipment manufacturers and support services members of NMA

<https://www.nma.org>

NATIONAL COAL TRANSPORTATION ASSOCIATION

MISSION:

To promote the safe, economical, and reliable transport of coal by facilitating communication among coal transport, allied industries and associations to maximize sharing of best-practices to serve the needs of industry and the public.

<https://movecoal.org>

AMERICAN SOCIETY OF MINING AND RECLAMATION

MISSION:

ASMR's mission is to represent and serve a diverse national and international community of scientists, practitioners, private industry, technicians, educators, planners, and government regulators involved in mineral extraction and the reclamation of disturbed lands. ASMR promotes the advancement of basic and applied reclamation science through research and technology transfer in the Society's annual meetings, workshops, published proceedings, newsletters, Reclamation Matters magazine, and the ASMR web site.

<https://www.asmr.us>

AMERICAN COAL ASH ASSOCIATION

MISSION:

The ACAA advances the management and use of coal combustion products in ways that are environmentally responsible, technically sound, commercially competitive and more supportive of a sustainable global community.

<https://www.acaa-usa.org>

AMERICAN COAL COUNCIL

MISSION:

American Coal Council (ACC) provides relevant educational programs, market intelligence, advocacy support and peer-to-peer networking forums to advance members' commercial and professional development interests.

ACC represents the collective interests of the American coal industry ~ from the hole-in-the-ground to the plug-in-the-wall ~ in advocating for coal as an economic, abundant and environmentally sound fuel source ACC serves as an essential resource for industry, policy makers and public interest groups. The Association supports activities and objectives that advance coal supply, consumption, transportation and trading.

<https://www.americancoalcouncil.org>

WORLD COAL ASSOCIATION

MISSION:

The World Coal Association is a global industry association comprising the major international coal producers and stakeholders. WCA works to demonstrate and gain acceptance for the fundamental role coal plays in achieving a sustainable and lower carbon energy future. Membership is open to companies and not-for-profit organizations with a stake in the future of coal from anywhere in the world, with member companies represented at Chief Executive level. WCA is the global network for the coal industry.

<https://www.worldcoal.org>

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MISSION: RMEL, through its diverse membership, educational events, and programs, facilitates the discovery of solutions and strategies for vital issues facing the electric utility industry.

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By: Matthew Kandrach



Democratic majorities in the House and Senate, along with a new Biden administration, promise sweeping policy changes in the United States. This includes campaign pledges to remake America's electricity mix. But with campaign season over, Democrats should put rhetoric aside and pursue a bipartisan energy plan that supports economic recovery.

During the 2020 campaign, Joe Biden pledged to "achieve a carbon pollution-free power sector by 2035." Doing so would mean essentially — in a mere 14 years — eliminating all of the fossil-fuel power plants currently supplying 63 percent of America's electricity needs. It's just this type of plan that could prove crippling to the U.S. economy: eliminating millions of jobs and driving up energy prices while offering only vague promises on replacing longstanding power generation or managing additional costs.

Both the U.S. and Europe already have some experience with this kind of aggressive transition away from traditional fuels toward more renewable power. And the results are troubling.

For example, California's shift to a renewable-heavy grid has already yielded some of the nation's highest electricity prices as well as serious grid reliability issues. During a heatwave this summer, California suffered rolling blackouts when demand outstripped the state's available power supply.

Texas has experienced a similar shock, now that its power mix increasingly relies on wind generation. The state's pivot away from traditional baseload power toward weather-dependent electricity has led to worrying shortfalls—including a 2019 summer heatwave when insufficient wind conditions caused electricity prices to spike as much as 36,000 percent.

New England has seen price increases, too. Rapidly transitioning away from a balanced

electricity mix that once included coal has meant dire fuel security warnings from the region's grid operator along with electricity prices now running almost twice the national average.

The same problems are cropping up overseas. Germany's "energiewende" movement toward full-scale wind and solar power has driven German electricity prices to three times the U.S. average.

Japan is also seeing record electricity prices as grid operators warn that available power isn't keeping up with demand.

And even the UK power grid is showing signs of strain. Britain's grid manager has already issued four warnings this winter, with power demand on the verge of exceeding supply. It's an alarmingly common occurrence now that the nation has shifted to greater reliance on intermittent wind generation.

The Biden administration is taking office at a time of serious economic disruption from the COVID-19 pandemic. The new president may be eager to roll out a comprehensive energy agenda. But the American people can ill-afford the hefty additional costs right now.

Families depend on reliable, affordable electricity. Yes, there's great appeal to incorporating more solar and wind power in the nation's electric grid. But the priority must be to ensure secure, affordable power for 330 million people.

It would be a grave mistake to hurriedly abandon the nation's current, diverse electricity mix in favor of costly power generation that could prove insufficient when it's needed most.

Matthew Kandrach is president of Consumer Action for a Strong Economy, a free-market advocacy organization.

PLEASE STAY TUNED FOR COAL ENERGY'S MEMORIAL TO HONOR OUR BRAVE COAL MINERS WHO LOST THEIR LIVES IN THE INDUSTRY IN 2020

1. James D Campbell, 50, February 27th 2020
2. Douglas Slusher, 48, October 9th 2020
3. Phillip T Ramsey, 58, October 13th 2020
4. Daniel F Shoener, 37, October 27th 2020
5. Taylor M Halstead, 20, November 23rd 2020

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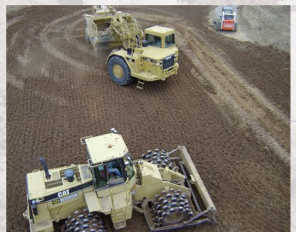
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PRESS RELEASES

B&W Environmental Awarded \$10 Million Contract to Supply Advanced Ash Handling System / January 05, 2021

(AKRON, Ohio – January 5, 2021) – Babcock & Wilcox (B&W) (NYSE: BW) announced today that its B&W Environmental segment will design and supply advanced ash-handling equipment to a U.S. power plant customer. The contract is valued at more than \$10 million.

The project scope includes the design and supply of eight innovative, patented Allen-Sherman-Hoff® Submerged Grind Conveyors (SGC), a transfer conveyor, blowers and other equipment.

As the U.S. Environmental Protection Agency implements new effluent limitation guidelines (ELG) and combustion residuals (CCR) requirements, B&W Environmental's SGC systems offer plant owners an affordable and reliable option to manage ash and protect the environment.

“We’re seeing significant demand for our SGC technology from plant owners looking to comply with new environmental standards,” said B&W Chief Operating Officer Jimmy Morgan. “Our advanced ash handling system offers a simplified, flexible design for effective bottom ash transport and dewatering, and eliminates the need for ash ponds altogether.”

B&W Environmental's SGC is strategically designed and sized so that it doesn't require the removal or displacement of bottom ash hoppers or slag tanks, ash gates, clinker grinders, transfer enclosures and other existing equipment. Installation can be accelerated to save time at a lower cost than other bottom ash conveyance systems.

About Babcock & Wilcox
Headquartered in Akron, Ohio, Babcock &

Wilcox is a global leader in energy and environmental technologies and services for the power and industrial markets. Follow us on LinkedIn and learn more at www.babcock.com.

About B&W Environmental

Babcock & Wilcox Environmental offers a full suite of best-in-class emissions control products and solutions for utility and industrial steam generation applications around the world. The segment's broad experience includes systems for ash handling, particulate control, nitrogen oxides and sulfur dioxides removal, chemical looping for carbon control, and mercury control, along with cooling solutions.

Forward-Looking Statements

B&W cautions that this release contains forward-looking statements, including, without limitation, statements relating to the execution and completion of a contract to design and supply ash-handling equipment for a U.S. power plant. These forward-looking statements are based on management's current expectations and involve a number of risks and uncertainties. For a more complete discussion of these risk factors, see our filings with the Securities and Exchange Commission, including our most recent annual report on Form 10-K. If one or more of these risks or other risks materialize, actual results may vary materially from those expressed. We caution readers not to place undue reliance on these forward-looking statements, which speak only as of the date of this release, and we undertake no obligation to update or revise any forward-looking statement, except to the extent required by applicable law.

CONSOL Energy Inc. and CONSOL Coal Resources LP Announce Stockholder and Limited Partner Approval and Completion of Merger

/ December 30, 2020

CANONSBURG, Pa., Dec. 30, 2020 /PRNewswire/ -- CONSOL Energy Inc. (NYSE: CEIX) ("CEIX") and CONSOL Coal Resources LP (NYSE: CCR) ("CCR") announced that, at a special meeting held on December 29, 2020, the shareholders of CEIX approved the issuance of shares of CEIX's common stock (the "CEIX Stock Issuance") in connection with the previously announced merger of a wholly owned subsidiary of CEIX with and into CCR (the "Merger") pursuant to which CCR would survive as an indirect, wholly owned subsidiary of CEIX. More than 99% of the total votes cast in person or by proxy at CEIX's special meeting were voted in favor of approving the CEIX stock issuance.

In addition, CCR's limited partners approved the Merger and the adoption of the merger agreement relating to the Merger. The holders of more than 83% of CCR's outstanding limited partner interests approved the Merger and the adoption of the merger agreement related thereto via written consent.

Following the approval of the CEIX Stock Issuance by the CEIX stockholders and the approval of the Merger and the adoption of the merger agreement related thereto by the CCR limited partners, CEIX completed the acquisition of all of the outstanding common units of CCR ("CCR Common Units") that it did not already own. As a result of the transaction, CCR Common Units have been suspended from trading on the New York Stock Exchange.

"The completion of this merger allows the equity holders of both companies to benefit from a simplified corporate structure, improved consolidated credit metrics, elimination of dual public company costs and improved financial flexibility," said Jimmy Brock, President and CEO of CONSOL Energy Inc.

About CONSOL Energy Inc.

CONSOL Energy Inc. (NYSE: CEIX) is a Canonsburg, Pennsylvania-based producer and exporter of high-Btu bituminous thermal and

crossover metallurgical coal. It owns and operates some of the most productive longwall mining operations in the Northern Appalachian Basin. Its flagship operation is the Pennsylvania Mining Complex, which has the capacity to produce approximately 28.5 million tons of coal per year and is comprised of three large-scale underground mines: Bailey, Enlow Fork, and Harvey. CEIX also owns and operates the CONSOL Marine Terminal, which is located in the port of Baltimore and has a throughput capacity of approximately 15 million tons per year. In addition to the ~669 million reserve tons associated with the Pennsylvania Mining Complex and the ~21 million reserve tons associated with the Itmann project, CEIX also controls approximately 1.5 billion tons of greenfield thermal and metallurgical coal reserves located in the major coal-producing basins of the eastern United States. Additional information regarding CEIX may be found at www.consolenergy.com

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About CONSOL Coal Resources LP

CONSOL Coal Resources LP (NYSE: CCR) is a master limited partnership formed in 2015 to manage and further develop all of CEIX's active coal operations in Pennsylvania. Its assets include a 25% undivided interest in, and operational control over, the Pennsylvania Mining Complex, which consists of three underground mines—Bailey, Enlow Fork and Harvey—and related infrastructure. For its ownership interest, CCR has an effective annual production capacity of 7.1 million tons of high-Btu North Appalachian thermal coal. More information is available on CCR's website www.ccr lp.com.

Cautionary Statements

All statements in this press release (and oral statements made regarding the subjects of this communication), including those that express a belief, expectation or intention, may be considered forward-looking statements (as defined in Section 21E of the Securities Exchange Act of 1934, as amended, and Section 27A of the Securities Act of 1933, as amended) that involve risks and uncertainties that could cause actual

results to differ materially from projected results. Without limiting the generality of the foregoing, forward-looking statements contained in this communication include statements relying on a number of assumptions concerning future events and are subject to a number of uncertainties and factors, many of which are outside the control of CEIX and CCR, which could cause actual results to differ materially from such statements. Accordingly, investors should not place undue reliance on forward-looking statements as a prediction of actual results. The forward-looking statements may include, but are not limited to, statements regarding the expected benefits of the transaction to CEIX and CCR and their stockholders and unitholders, respectively; the expected future growth, dividends and distributions of the combined company; and plans and objectives of management for future operations. When we use the words "believe," "intend," "expect," "may," "should," "anticipate," "could," "estimate," "plan," "predict," "project," or their negatives, or other similar expressions, the statements which include those words are usually forward-looking statements. When we describe strategy that involves risks or uncertainties, we are making forward-looking statements. While CEIX and CCR believe that

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the assumptions concerning future events are reasonable, they caution that there are inherent difficulties in predicting certain important factors that could impact the future performance or results of their businesses. Among the factors that could cause results to differ materially from those indicated by such forward-looking statements are: the failure to realize the anticipated costs savings, synergies and other benefits of the transaction; the possible diversion of management time on transaction-related issues; local, regional and national economic conditions and the impact they may have on CEIX, CCR and their customers; the impact of outbreaks of communicable diseases such as the novel highly transmissible and pathogenic coronavirus (COVID-19) on business activity, CEIX's and CCR's operations and national and global economic conditions, generally; conditions in the coal industry, including a sustained decrease in the level of supply or demand for coal or a sustained decrease in the price of coal; the financial condition of CEIX's or CCR's customers; any non-performance by customers of their contractual obligations; changes in customer, employee or supplier relationships resulting from the transaction; changes in safety, health, environmental and other regulations; the results of any reviews, investigations or other proceedings by government authorities; and the performance of CEIX and CCR.

The forward-looking statements in this press release speak only as of the date of this report; we disclaim any obligation to update these statements. We have based these forward-looking statements on our current expectations and assumptions about future events. While our management considers these expectations and assumptions to be reasonable, they are inherently subject to significant business, economic,

competitive, regulatory and other risks, contingencies and uncertainties, most of which are difficult to predict and many of which are beyond our control. These risks, contingencies and uncertainties relate to, among other matters, the risks and uncertainties set forth in the "Risk Factors" section of CEIX's and CCR's respective Annual Reports on Form 10-K for the year ended December 31, 2019 and Quarterly Reports on Form 10-Q for the three months ended March 31, 2020, June 30, 2020 and September 30, 2020, respectively, each filed with the Securities and Exchange Commission, and any subsequent reports filed with the Securities and Exchange Commission.

No Offer or Solicitation

This release is for informational purposes only and shall not constitute an offer to sell or the solicitation of an offer to buy any securities pursuant to the transaction or otherwise, nor shall there be any sale of securities in any jurisdiction in which the offer, solicitation or sale would be unlawful prior to the registration or qualification under the securities laws of any such jurisdiction. No offer of securities shall be made except by means of a prospectus meeting the requirements of Section 10 of the Securities Act of 1933, as amended.

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SOURCE CONSOL Energy Inc.; CONSOL Coal Resources LP

DOE Announces \$4 Million for Projects to Optimize Safe, Secure, and Verifiable Carbon Storage / December 22, 2020

Today, the U.S. Department of Energy's (DOE) Office of Fossil Energy (FE) announced plans to make \$4 million in federal funding available for cost-shared research and development of tools and methods to optimize safe, secure, and verifiable carbon dioxide (CO₂) storage.

Funding opportunity announcement (FOA), DE-FOA-0002401, Emerging CO₂ Storage Technologies: Optimizing Performance Through Minimization of Seismicity Risks and Monitoring Caprock Integrity, will support the goals of the **Advanced Storage R&D** technology area of DOE's **Carbon Storage Program**.

DOE's Carbon Storage Program focuses on developing, testing, and verifying technologies and techniques that address challenges related to long-term, commercial-scale storage of CO₂ in the deep subsurface. Key initiatives within the Advanced Storage R&D area include improvements to monitor the seal integrity of caprocks and to predict seismicity magnitudes and potential hazards before and during the injection of CO₂.

The intent of the FOA is to solicit and competitively select cost-shared applications that show the most promise for developing novel tools and methods to improve:

- The ability to cost-effectively detect and characterize faults during the site characterization phase of potential storage sites, especially the detection and characterization of faults located in the crystalline basement rocks beneath the sedimentary rock layers that could be targeted for CO₂ storage.
- The ability to accurately assess the maximum likelihood magnitude seismic

event that large-scale CO₂ injection at a particular site could create, particularly for faults located in the crystalline basement rocks beneath the sedimentary rock layers that could be targeted for CO₂ storage.

- The identification, location, and quantification of CO₂/native fluid migration through the main caprock layer(s) overlying an injection reservoir.

Read more of the FOA.

The Office of Fossil Energy funds research and development projects to reduce the risk and cost of advanced fossil energy technologies and further the sustainable use of the Nation's fossil resources. To learn more about the programs within the Office of Fossil Energy, visit the **Office of Fossil Energy website** or **sign up** for FE news announcements. More information about the National Energy Technology Laboratory is available on the **NETL website.vvebb**

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U.S. DEPARTMENT OF LABOR REPORTS 29 MINE-RELATED DEATHS IN 2020

Coal mine deaths reached historic low

ARLINGTON, VA – In 2020, the U.S. Department of Labor’s Mine Safety and Health Administration (MSHA) reports there were 29 mining fatalities, making it the sixth consecutive year that mining fatalities were below 30. Among those fatalities, five occurred in coal mines, a historic low.

MSHA reports that three deaths occurred in Kentucky and Louisiana; two each in Arizona, California, Georgia, Iowa, Texas and West Virginia; and one each in Colorado, Illinois, Kansas, Michigan, Missouri, Nevada, New Jersey, Ohio, Pennsylvania, South Carolina and Washington.

After a two-year increase in 2017 and 2018 when about half of all deaths resulted from powered haulage accidents, such as vehicle-on-vehicle collisions, failure to use a functioning seat belt, and conveyor belt accidents, MSHA responded with a multifaceted education campaign and initiated rulemaking. By 2020, pow-

ered haulage deaths dropped to 21 percent. The Year 2020 also marked the first year in MSHA’s history with no seatbelt-related deaths, and conveyor-related deaths dropped from four in 2017 to one in 2020.

“In 2020 the U.S. Department of Labor’s Mine Safety and Health Administration focused on improving safety in several areas, including falls from height and truck-loading operations,” said Assistant Secretary for Mine Safety and Health David G. Zatezalo. “We also focused on chronic problem areas, such as disproportionate accidents among contractors and inexperienced miners. In 2019, contractor deaths accounted for 41 percent of deaths at mines. In 2020, they were 28 percent.”

As required, MSHA inspected all underground mines at least four times per year and surface mines at least twice per year in 2020, in a year when 15 percent of inspectors self-identified as high-risk for the coronavirus under CDC guidelines. Between March 1, 2020, and Dec. 31, 2020, MSHA issued 195 citations for sanitary



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conditions that could have contributed to coronavirus.

The mining industry achieved its highest compliance with MSHA's health standards, which protect the long-term health of miners. The year 2020 saw all-time-low average concentrations of respirable dust and respirable quartz in underground coal mines, as well as exposure to dust and quartz for miners at highest risk of overexposure to respirable dust.

Approximately 230,000 miners work across 11,500 metal/nonmetal mines in the U.S., while 64,000 work in the nation's 1,000 coal mines.

Agency
Mine Safety & Health Administration

Date
January 13, 2021

Release Number
21-22-NAT

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America's Power Congratulates New Commissioners / December 1, 2020, by America's Power

Washington, D.C. — Yesterday, the United States Senate confirmed two new Commissioners, Mark Christie and Allison Clements, to serve on the five-member Federal Energy Regulatory Commission (FERC). America's Power issued the following statement by Michelle Bloodworth, President and CEO:

"We congratulate Mark Christie and Allison Clements on their confirmation to fill the two remaining vacancies at FERC," said Bloodworth. "FERC has become an increasingly important policymaker for the nation's coal fleet, which helps maintain grid reliability and resilience. Having two new Commissioners with considerable expertise should enable the Commission to ensure the nation's electricity supply

is both reliable and resilient. We have been urging FERC to take basic steps that would lead to better protection for the electricity grid in the event of disturbances that could have extreme consequences. Recently, many California ratepayers were forced to deal with rolling blackouts and other emergency conservation measures. We are optimistic that newly-confirmed Commissioners Christie and Clements will join with their fellow commissioners to prevent this kind of problem in other parts of the country," continued Bloodworth.

America's Power is a partnership of industries involved in producing electricity from coal.



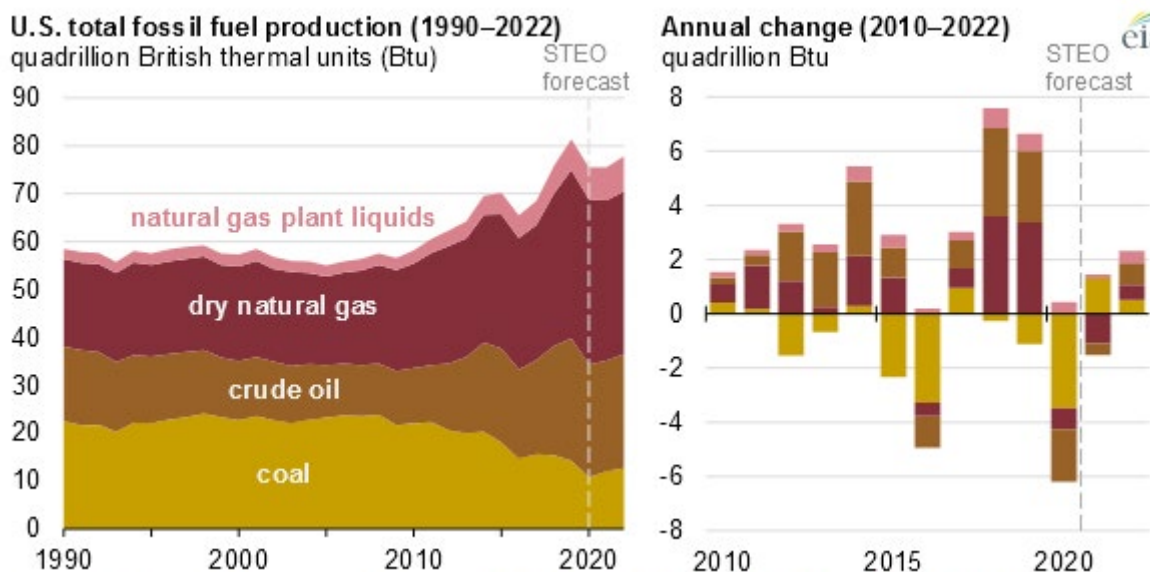
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Fossil fuel production expected to increase through 2022 but remain below 2019 peak

Source: U.S. Energy Information Administration, *Monthly Energy Review and Short-Term Energy Outlook (STEO)*



In 2020, fossil fuel production in the United States declined by an estimated 6% from the 2019 record high of 81.3 quadrillion British thermal units (Btu). Based on forecasts in the U.S. Energy Information Administration’s (EIA) January 2021 Short-Term Energy Outlook (STEO), EIA expects total production of fossil fuels in the United States to remain flat in 2021 as increased coal production offsets declines in natural gas production. EIA expects production of all fossil fuels—crude oil, coal, dry natural gas, and natural gas plant liquids (NGPL)—to increase in 2022, but forecast fossil fuel production will remain lower than the 2019 peak.

EIA’s surveys measure fossil fuel production in physical units, such as cubic feet for natural gas,

barrels for crude oil, and short tons for coal. In this article, energy production is expressed in heat content units to allow comparisons across fuel types. On a heat-content basis, dry natural gas accounted for the largest share of fossil fuel production in 2020, at 46%. Crude oil accounted for 31%, coal for 14%, and NGPLs for 9%.

From the mid-1980s through 2010, coal was the leading source of U.S. fossil fuel production, but coal production has since been surpassed by dry natural gas (in 2011) and by crude oil (in 2015). In 2020, the United States produced twice as much energy from crude oil (24 quadrillion Btu) than coal (11 quadrillion Btu) and three times as much energy from natural gas (35 quadrillion Btu).

U.S. coal production fell by an estimated 24% in 2020, but according to EIA's forecast, U.S. coal production will increase by 12% in 2021 and another 4% in 2022. In recent years, about 90% of U.S. coal has been consumed by the elec-

tric power sector. In EIA's forecast, increases in natural gas prices are expected to reduce natural gas consumption for electricity generation, which will result in an increased share for coal—and to a lesser extent, an increased share for renewables such as wind and solar—in the electricity generation mix.

EIA estimates that U.S. NGPL production increased by 7% in 2020. Newly commissioned, more efficient natural gas processing plants supported growth in NGPL production even though natural gas production declined. EIA expects domestic NGPL production to increase by 2% in 2021 and by 7% in 2022 mostly because of ethane production growth.

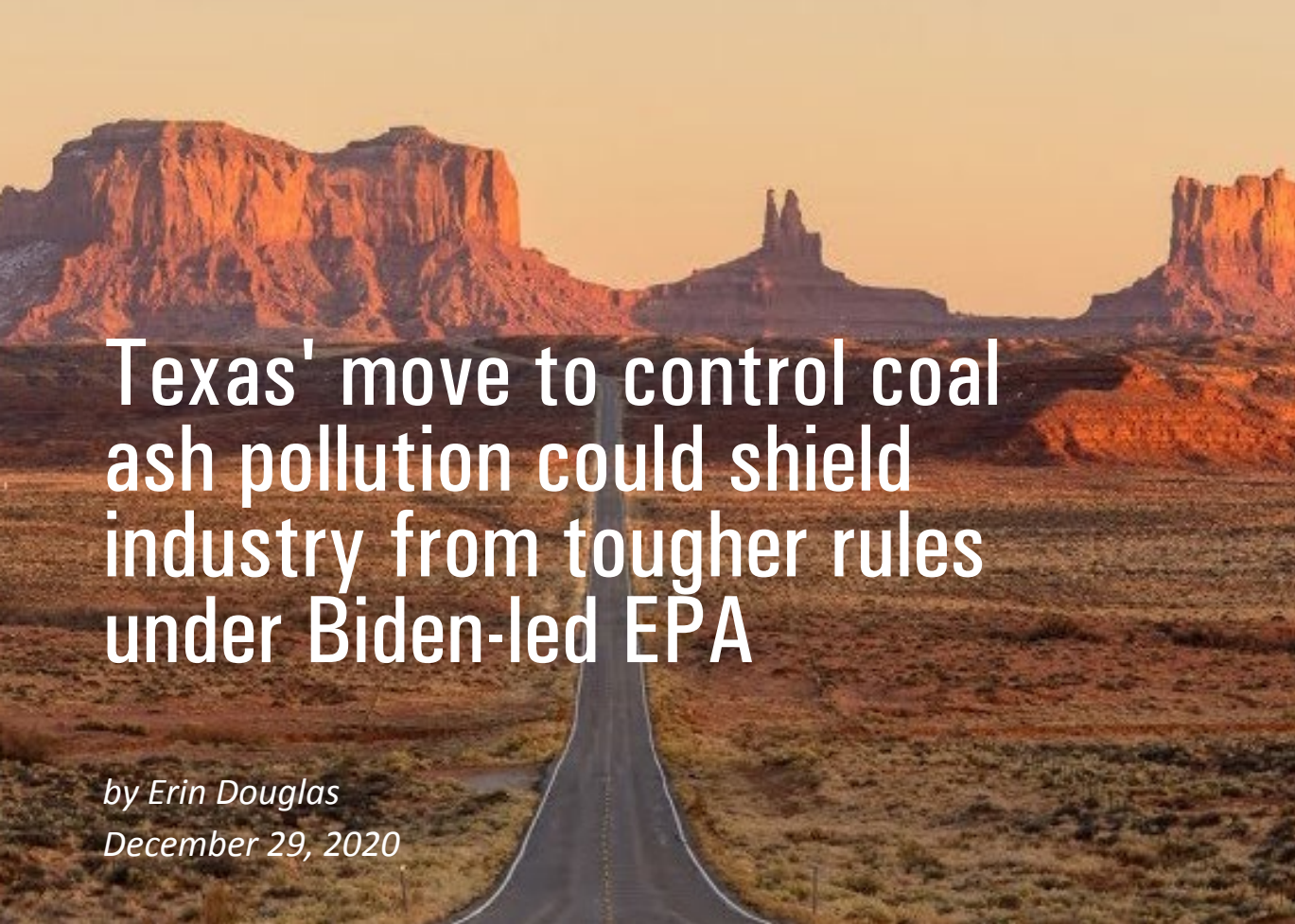
Principal contributor: Stacy MacIntyre



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Texas' move to control coal ash pollution could shield industry from tougher rules under Biden-led EPA

by Erin Douglas

December 29, 2020

Texas is close to finalizing a years-long effort to wrangle control of coal ash pollution from the EPA, a move that could, for a time, keep coal companies insulated from tougher rules expected from the next administration.

Texas may soon get authority over the disposal of ash from coal-fired power plants, a change that could insulate coal companies from tougher rules expected under a Biden administration.

A proposal introduced by the U.S. Environmental Protection Agency this month would allow Texas to regulate coal ash instead of the federal agency. The move comes just after the EPA this year weakened the Obama-era rule on coal ash pollution amid other rollbacks and rule-making maneuvers cementing the Trump administration's environmental agenda.

Coal ash is a byproduct of burning coal for power generation. The ash is typically dumped into detention ponds or pits and can leach toxic chemicals, such as arsenic, lead and mercury, into groundwater. All of the coal power plants in Texas have coal ash disposal sites

that are leaking contaminants, according to data analyzed by the Environmental Integrity project in 2019.

President-elect Joe Biden's reported pick to head the EPA, Michael Regan, currently leads North Carolina's environmental agency and has a record of cracking down on coal ash pollution: In North Carolina, he fought to obtain a huge settlement over an 80 million ton coal ash cleanup by Duke Energy — the largest coal ash contamination cleanup in U.S. history.

But if Texas gets authority to implement the coal ash rules before Biden's new EPA chief has a chance to strengthen the standards, the program could act as a temporary shield for the industry because the state would need to work through a lengthy process to modify already-issued registrations to coal companies.

“It’s always better for industry if the state has control instead of EPA,” said Abel Russ, a senior attorney for the Environmental Integrity Project who helped draft the organization’s comments on Texas’ coal ash program. “States are typically more favorably inclined to what industry wants. That’s true not just in Texas, but across the country.”

Oklahoma and Georgia are the only two states that currently have approval to operate the EPA’s coal ash program. Texas’ program won’t be effective until at least February, when the public comment period ends.

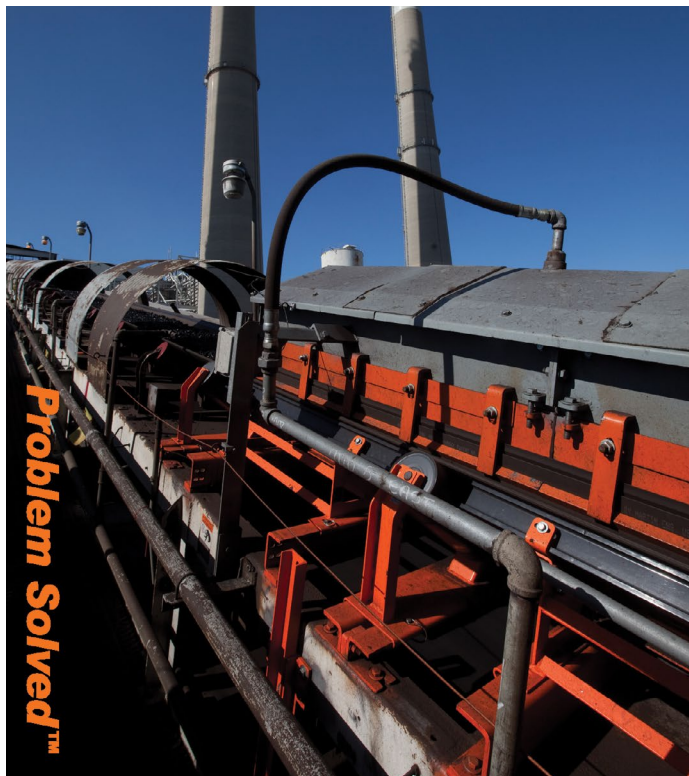
The Texas Mining and Reclamation Association, an industry group that represents coal and other mining industries in the state, supports the proposal, arguing that state-level environmental regulation is more effective.

“This system is designed to give decision-making authority to a level of government that is closer to the people and recognizes that states are in a better position to address specific problems as they arise,” said Michael Nasi, an Austin lawyer, on behalf of the industry group.

GETTING CONTROL FROM THE EPA

High-profile accidents involving coal ash in recent years, highlighted by the failure of a coal ash impoundment in Tennessee that spilled a billion gallons of coal ash slurry, put pressure on the EPA to introduce tougher standards. Before 2015, there were no requirements for coal companies to properly line the pits where they dumped the toxic ash — nearly 130 million tons of which was generated in 2014.

Under former President Barack Obama, the EPA for the first time introduced standards on what experts say are poorly lined pits and ponds containing coal ash across the nation. But in 2016, the EPA under President Donald Trump began to delay and then walk back that proposal, and the agency was soon directed by Congress to create a program allowing states to operate the federal standards instead of the EPA. That set off a multi-year effort in Texas to wrangle control away from the federal agency, but first, Texas had to change its rules.



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An aerial photograph of Lake Kepwari, showing a boat moving across the blue water, leaving a white wake. A water skier is visible in the distance, also leaving a white trail. The background features a dense forest of green trees along the shoreline.

THE TALE OF LAKE KEPWARI: FROM OPEN-CUT MINE TO WATER SPORTS LANDMARK

World News: AUSTRALIA'S LAKE KEPWARI



9 December 2020

Lake Kepwari is far more than a new water sports tourist hub: it is a demonstration of how the mining industry is committed to rehabilitating and relinquishing mined land for the benefit of the environment and the community. Long after its days as a productive coal mine have been left to memory, Lake Kepwari will be a landmark that contributes to Collie and its economy.

From Open-Cut Coal Mine to Lake

Lake Kepwari is part of the Collie River Waugal Aboriginal Heritage Site, which includes all of the Collie River system. Waterways in south-western Western Australia, including the Collie River, continue to play an important role in the lives of Nyungar people; their connection to the Collie River is reflected in their spiritual beliefs and its role as a source of food, water and recreation. Kepwari is a word in the indigenous Wilman language meaning “playing in water”, and all manner of water sports will be enjoyed at Lake Kepwari for generations to come.

Mining at the site where Lake Kepwari is now located began over 50 years ago in the 1970s – the pit workings were known as “WO5B” – and ended in 1996. Rehabilitation works on Lake Kepwari initially started in the 1980s in parallel with open-cut mining operations.

It was always envisaged that the site of the mine void would become a lake for recreational purposes after mining ended. However, the journey from open-cut mine to lake has taken as many turns as the Collie River itself.

In 1990, the south branch of the Collie River was diverted around the open pit workings to allow access to unmined coal reserves. At that time, eventual mine closure plans kept this Collie River diversion channel in place, which would have resulted in a mine void that would remain disconnected from the river and its surrounding catchment areas.

The 1997 Mine Closure Plan for Lake Kepwari was as a “closed catchment lake”, which would have resulted in poor water quality. Another key challenge of this rehabilitation plan was that the ‘disconnected’ mine void would take 100 years to fill with water naturally. But this time frame would lessen considerably if a source could be tapped that would provide additional water to complement natural run-off. It was decided to divert a limited amount of water from the Collie River into the mine void and Premier Coal successfully applied for a surface water license to set this plan in motion.

The plan was still to keep Lake Kepwari separate from the diverted Collie River, but to extract water from the river into the lake to ensure the lake maintained acceptable water levels.

This plan changed dramatically in 2011. In August 2011, during a substantial rainfall event, the Collie River breached the diversion channel and flowed into and through Lake Kepwari. This prompted reconsideration of the 1997 closure strategy from an isolated water body to a flow-through lake.

Premier Coal commenced a trial of the flow-through system between 2012-2016, in consultation with relevant government agencies, and commissioned associated studies to investigate potential impacts of the revised plan on the environment and downstream water users.

Results from the trial and studies successfully demonstrated that diversion of Collie River into Lake Kepwari improved the water quality in the mine void lake with no significant adverse effects. As a result, Premier Coal applied for approval to permanently divert the Collie River back to its original path through the mine void. This permanent flow-through of the Collie River was approved in November 2018 and civil works enabling the flow-through were completed in June 2019. The mine void formerly known as WO5B is now the body of water known as Lake Kepwari: being fed from and flowing back into the Collie River; holding around 32 gigalitres of water (almost the same volume as Lake Burley Griffin in Canberra); with a perimeter of 5.4 kilometres; and measuring 65 metres at its deepest point.

Temporary Stewards of the Land

Since the 1997 Mine Closure Plan was established, Premier Coal and the State Government have collaborated closely on this project, with Premier Coal rehabilitating and relinquishing the land and the government constructing public facilities and infrastructure.

Yancoal, the operator of Premier Coal, recognises that it is a temporary steward of the land during the mining process, and is committed to rehabilitating mined land and returning it in a state that is beneficial to both the environment and the community.

Land rehabilitation is foremost about returning the land to an agreed environmental condition that is safe, stable and sustainable. The key objectives of Premier Coal's rehabilitation program at Lake Kepwari were to create a func-

tioning, self-sustaining ecosystem that would integrate into the surrounding bushland, landscape and lake.

This involved extensive earthworks after the mine closed in 1996 to reshape dumps and mine void surrounds for a safe and natural landform. The area was covered with inert material, then spread with topsoil and seeded with more than 60 species of native vegetation which has now developed into an established bushland.

Recent rehabilitation activities to facilitate permanent flow through included: widening the Collie River inlet and outlets to allow full flow through the lake; rehabilitating the breach; and backfilling the diversion channel adjacent to the Lake surrender area. Premier Coal engaged local businesses that employed local people to do this work.

Recent works commissioned by government to develop the Lake into a recreation hub include a swim beach, picnic areas, campground, toilets, dual lane boat ramp and jetty, parking bays for 85 boat trailers and 65 cars. Upgrades to the entrance road, a

new bridge over the Collie River and signage throughout the area has turned the area into a watersports landmark.

Asset as a Mine; Now Community Asset as a Lake

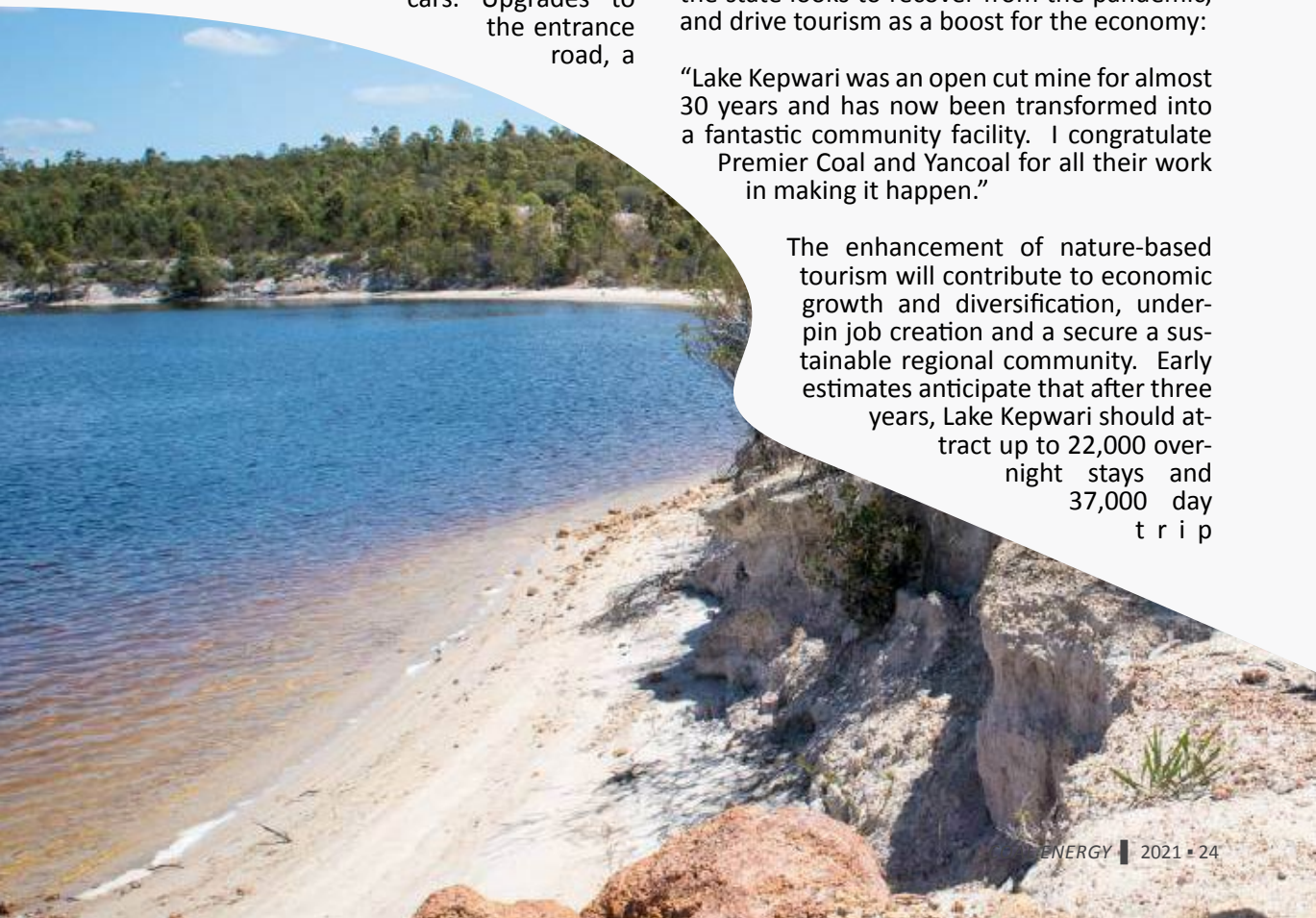
Collie is a town that has traditionally been reliant on mining and power generation to employ many in the community and to support local businesses. But tourism is becoming an important driver of a more diversified economy for Collie.

The transformation of Lake Kepwari into a recreation hub for water sports is expected to attract an influx of tourists and visitors, which will provide a boost for businesses around Collie.

This is an outcome on which the State Government is fully focused, identifying Lake Kepwari as a key development project in the South West region and committing \$5.7 million to realizing this vision. An initiative that the Premier, Mark McGowan, has fully supported as the state looks to recover from the pandemic, and drive tourism as a boost for the economy:

“Lake Kepwari was an open cut mine for almost 30 years and has now been transformed into a fantastic community facility. I congratulate Premier Coal and Yancoal for all their work in making it happen.”

The enhancement of nature-based tourism will contribute to economic growth and diversification, underpin job creation and a secure a sustainable regional community. Early estimates anticipate that after three years, Lake Kepwari should attract up to 22,000 overnight stays and 37,000 day trip



visitors per annum, contributing millions to the local economy.

A Landmark for the Mining Industry, not just for Collie

Lake Kepwari will be an important landmark for the mining industry, not just for the town of Collie. It is a prime example of how rehabilitating a mine site is more than just planting trees. It demonstrates how cooperation between mining companies, the local community and government can ensure mine closure and rehabilitation can have a positive environmental, social and economic impact well into the future.

Land rehabilitation and relinquishment is part of responsible mining – taking the land over which mining companies have had temporary stewardship and handing it back to the community as an asset for future use. Lake Kepwari, having been an open cut mine for nearly 30 years that was an important driver of Collie's economy, is now a tourist landmark that will contribute to Collie's economic future for generations to come. Premier Coal's Op-

erations Manager, Jim Falconer, sums up Lake Kepwari's journey perfectly:

"Having operated as an open cut coal mine for almost 30 years, it is brilliant to see the transformation that Lake Kepwari has experienced. We are thrilled that locals of Collie and tourists to the area will be able to enjoy the ideal conditions for all water-related activities and immerse themselves in nature at the lake.

"We are proud to be a part of a development that has delivered local jobs throughout the rehabilitation and construction phases of the project. Lake Kepwari is a terrific recreational facility for locals and will be a fantastic tourism attraction in Western Australia's South-West region.

"It was always the plan to convert the site into a lake and we are blown away by the end result."

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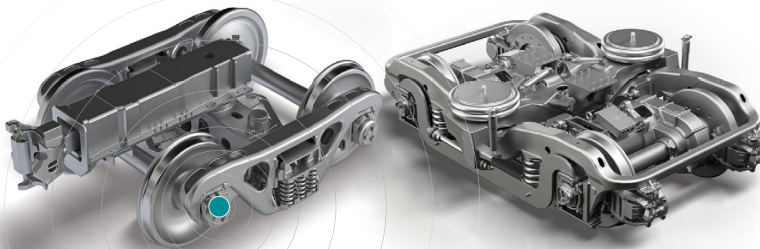
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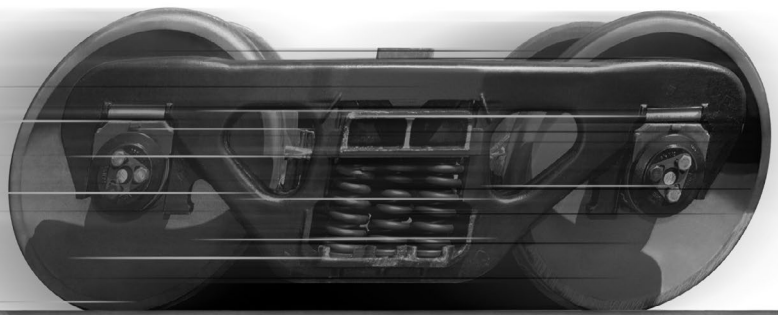
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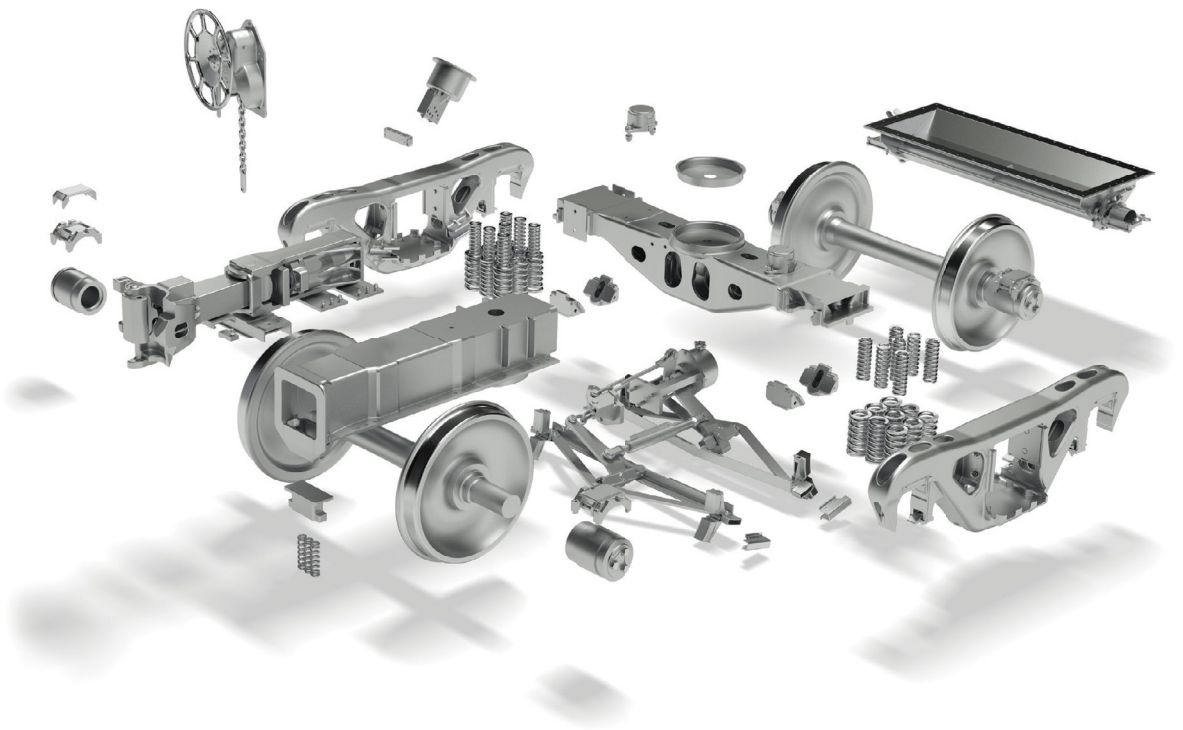
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