LEADERS IN MINING

VISION, DEDICATION AND LEADERSHIP

FEATURING:

HARRY ANTHONY • GEORGE BOKORNEY • CARL CAMPBELL
MIKE NASI • HAL QUINN • DICK WHITE

ALSO INSIDE: END-OF-SESSION REPORT • MEET JULIE POLLARD • COAL'S COLOSSAL COMEBACK
THANK YOU TO ALL OUR MINING LEADERS FOR THEIR VALUABLE CONTRIBUTIONS TO THE INDUSTRY

Harry Anthony is one of the six distinguished mining industry leaders we feature in this issue. Anthony (8th from left) in 2010 applauding the closing bell at the listing of the Uranium Energy Corporation on the American Stock Exchange – now called the NYSE MKT LLC. Source: Harry Anthony

As past president and now vice chairman of Trinity Construction Materials, Inc., Carl Campbell was instrumental in making the company a leading producer and distributor of lightweight and natural aggregates. Carl is one of the mining leaders featured in this issue. See page 13. Source: TCMI

10 Harry Anthony
12 George Bokorney
13 Carl Campbell
14 Mike Nasi
16 Hal Quinn
17 Dick White
19 Governmental Affairs Report
19 Safety Committee Report
20 Teacher Profile
21 Annual Meeting Sponsorships
22 Coal’s Colossal Comeback
A
fter reading the feature articles in this edition of TXMining magazine, I believe they represent a wonderful cross section of leaders and companies that have made significant contributions to our industry. There are several common themes highlighted in this edition – including proudly serving our industry as good stewards of the environment and human resources, and positioning the mining industry for continued success.

I also want to acknowledge the TMRA team and our members for your great work during the recent Texas legislative session. Your exhaustive efforts to monitor bills, keep our members informed and provide feedback to our legislators is much appreciated. Thank you!

In the spring edition of the magazine, I mentioned there was reason for optimism due to the new Trump administration. That hope is becoming a reality with the voiding and rollback of rules and policies that are harmful to both the mining and power industries. The work that many of you undertook to prepare the information needed to help educate the incoming administration was integral to the results that have occurred to date.

During the first 100 days of the new administration, Congressional Review Act resolutions were introduced and passed to reject the Stream Protection Rule and the BLM Resource Management Planning (2.0) Rule. These rules contained unreasonable and costly compliance requirements that would have resulted in little to no environmental benefit.

The president also signed executive orders directing the federal government to reconsider the expansive Waters of the United States Rule (WOTUS), and to review and revise regulations that hinder the promotion of energy independence and economic growth.

Other positive efforts include developing processes to streamline permitting and reducing the time required to conduct a complete application review. The Environmental Protection Agency and the Mine Safety and Health Administration have stayed or extended the review of multiple proposed regulations, with the goal of making them more pro-energy and pro-jobs, and still pro-environment.

While it is exciting to see these positive developments, we know there will continue to be opposition to our industry. So we need to continue to prove through our actions that we can successfully and safely mine our resources, and be good stewards of the environment.

Stay Safe.

—Brett

“The work that many of you undertook to prepare the information needed to help educate the incoming administration was integral to the results that have occurred to date.”

Wetland training is just one of the environmental activities that are now pro forma at Texas mines following the dedicated and revolutionary work of early reclamation leaders, such as those featured in this issue starting on page 10. Source: Matt Tanner, Natural Light Photography
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TMRA Members and friends, I am excited to have this opportunity to say just a few words about this issue in which you will hear from six true leaders of mining and friends of TMRA. What a great opportunity to hear from those who have been integral to our early TMRA years, our early Texas mining and reclamation activities and those playing major roles today in keeping our industries and TMRA strong – both in Texas and across the United States.

Most of you know my background, but let me just briefly remind you of my short (in geologic time) work history.

After graduating from the University of Houston (B.S. in political science with lots of hours in psychology), I had the privilege of attending UT School of Law, from which I graduated in 1972. In 1973, I started working with the Texas Water Quality Board (TWQB) as an attorney. One attorney I worked with was J. Randel (Jerry) Hill, who a few years later left TWQB to join the NEW Surface Mining and Reclamation Division at the Railroad Commission of Texas.

As that division grew under the leadership of Roy Payne, a true Railroad Commission legend from his work relating to the East Texas Oil Field, Jerry asked if I’d consider joining the division as its attorney and hearings examiner for “all of the work permitting coal/lignite and uranium mines in Texas.”

I was with the division from 1977-1983. My specific task – other than the day-to-day work on permits and compliance – was to follow the direction of the Commission’s Chairman Mack Wallace to “be sure that Texas is the first state with an approved State Coal Mining and Reclamation Program,” pursuant to the requirements of the U.S. Dept. of the Interior’s Office of Surface Mining Reclamation and Enforcement.

With lots of help, including from some folks you’ll read about in this issue, Texas was once again No. 1!

In 1983, I was given the opportunity to enter private practice with a firm called Booth, Lloyd & Simmons. Shortly thereafter, I followed Robin Lloyd and Paul Gosselink to a new firm, where I became a partner and stayed for 24 years. Robin and Paul were and are mentors and friends. Robin, specifically, gave me opportunities to work for those in the mining industry, including TMPA and North American Coal. Robin and Paul also encouraged me to be a part of and active in an association called “TMRA.” I guess that took!

While any number of people active in Texas mining and TMRA have played important roles for me personally, and to TMRA, let me just mention a very few. J. Randel Hill for saying “come join us at the RCT,” then giving me opportunities to work with people and in industries that I respect and love. Dick White (TXU) and Spencer Relyea (Worsham, Forsythe & Samples), for their incredible leadership in not only setting up our Texas Mining Program but also in helping set the tone that our Texas mining and reclamation must be the very best.

Steve Smith (also a former TXU person), for stepping out of retirement and into our TMRA “mess” when we absolutely had to have a steady and committed hand to survive and grow as an association.

Finally, for Francye Hutchins (involved actively with TMRA since even before my time), without whom I’m confident TMRA would not have its nationally renowned and extraordinary Teachers Workshop program reaching teachers and students now numbering well over one million and heading toward two.

What a blessing it is for me and TMRA to have had incredible leaders and active members, and for that tradition of commitment to still be strong today. Thanks to all of you.

—Ches
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Harry L. Anthony is an expert in hydrometallurgical processing and ISR uranium mining. He has been a consultant for several major uranium companies and international agencies, and was a senior VP of Uranium Resources, Inc. and on its board of directors. The author of several publications, Anthony has received many recognitions. He currently serves as president of the Uranium Producers of America (UPA) and as a senior advisor to the Uranium Energy Corporation (UEC).

“...The U.S. now ranks ninth behind Niger and Uzbekistan in uranium production; 30 years ago, we ranked first.”

Q. Please tell us the accomplishments you are most proud of...

I cannot think of any of my accomplishments that were not totally supported by team effort from my peers and colleagues. I have taken every opportunity to learn and experience all that was available. As I was told by my former boss, friend and the uranium industry legend Bill McKnight: “Always hire individuals smarter than yourself.”

Leaving Union Carbide in 1977, I joined Uranium Resources Inc. (URI), a startup mining company, serving on its board and as senior VP of engineering. During those 20 years, I helped develop many of the processes of the in-situ industry, while the government developed rules and regulations to oversee this new form of mining.

In 2006, I joined the Uranium Energy Corporation (UEC), another startup company, as a board member and chief operating officer.

Today, as president of the UPA and a senior advisor to UEC, I am lucky to continue to help shape policy. Whether it is serving as a soccer coach or a board member, I am proud to give back to the community.

Q. What federal policies and practices have harmed uranium mining?

The previous administration inflicted much harm. The Department of Energy (DOE) and the EPA have labored extensively to propose new and costly regulations that interfere with the market.

From the 1990s to 2005, the Megatons to Megawatts program converted massive amounts of energy in the form of Russian bomb-grade enriched uranium into low-grade nuclear fuel, which flooded the world market and led to an abundance of supply, depressing the commodity price of uranium. Many operations were shuttered.

In 2005, the nuclear industry entered a renaissance period with new reactors being planned in China, Malaysia, India and South Korea. This was short-lived, however, due to the financial crisis of 2008 and in 2011 Japan’s Fukushima Daichí disaster. Since then, the uranium mining industry has been on a slow downward spiral; the U.S. now ranks ninth behind Niger and Uzbekistan in uranium production; 30 years ago, we ranked first.

Q. What other federal regulations have affected the industry?

The EPA has been developing rules targeting the uranium industry – even though there has never been a single contamination of any private or public water system in the 40-plus year history of the in-situ industry. EPA officially proposed Rule Part 192 in January 2015, which would add several years on the front end of permitting that currently requires six to seven years to secure six separate necessary permits. The rule also makes it virtually impossible for a mining project to achieve final restoration because of its rigidity and complexity.

The EPA’s concern is that at some future date groundwater will elevate in uranium and radium, yet it cannot show any scientific proof. Rather, administrators say that they have not looked long enough.

EPA proposed the rule without industry or regulator stakeholder involvement, excluding 40-plus years of experience and responsible compliance.

Q. How has the industry fought back?

The uranium industry has waged strong opposition and has bipartisan congressional support. The Office of Management and Budget (OMB), the final hurdle before it became official in early January 2017, rejected the proposed rule as written and sent it back to EPA.

Several days later, essentially the same rule was re-proposed by EPA and the industry is once again having to address this egregious rule, which essentially would shut down the entire uranium industry and make the nation 100 percent dependent on foreign supply sources.

Q. How have the policies of the previous administration affected uranium prices?

After the financial crisis of 2008, DOE began to fund several massive cleanup operations by circumventing the congressional allocation process. They were funding the cleanup activities at enrichment services they managed during the Cold War by selling excessive government uranium inventories. The cleanup was contracted out to a third party, whose services were paid in the form of uranium. The contractor hands the uranium...
over to a broker, who sells it to eager utilities both foreign and domestic. This practice has resulted in the lowering of the commodity price of uranium by more than $20 a pound. In April, the spot price of uranium was $23 a pound. The UPA has been lobbying Congress and DOE to limit the dumping of uranium into the world market.

Q. How do these low prices affect our energy infrastructure?

Today, our nation imports 94 percent of its uranium to feed its reactor fleet of 99 reactors, which supply approximately 20 percent of the nation’s electricity. Any disruption in our country’s uranium supply has severe financial repercussions. The domestic uranium mining sector cannot compete with a government agency selling zero cost basis uranium, while Congress continues to be gridlocked.

In this Congress, the uranium industry has earned bipartisan support for Senate Bill 512, which if enacted and signed by President Trump, would put constraints on when and how DOE could use its excessive inventories to barter and fund cleanup at old contaminated enrichment sites. This bill would help put uranium miners back to work – much like President Trump recently enacted for the coal industry. Getting a bill through both houses and signed by the president will be a feat to accomplish.

Q. What do you think will happen to nuclear power prices?

The price of uranium will remain low for the next several years. If DOE throttles back, or ceases selling altogether, prices will rise to meet the reduced supply. Even still, there remains an excessive quantity of uranium in the secondary supply markets. I believe this can be worked off rather quickly.

Currently, enrichment facilities are purposefully underfeeding their centrifuges, allowing them to extract more uranium 235 (improving recoveries) than they would if uranium demand worldwide were up. It has been reported that the volume of this secondary supply is between 16-20 million pounds a year. Worldwide demand is 175 million pounds, with worldwide mining production at 155 million pounds. DOE is supplying approximately seven million pounds a year. The U.S. uranium mining industry is producing only 2.9 million pounds. Today’s annual production is a long way from the annual production record of 44 million pounds in the early 1980s.

Q. What are your thoughts on Rick Perry’s role as DOE secretary?

Secretary Perry has an overwhelming job following in the wake of the last administration’s dismal record. First, DOE needs to develop a plan that considers all forms of energy, not just giving precedence to wind and solar. Yucca Mountain needs to be revaluated as a depository for our nation’s high-level radioactive waste. The U.S. guaranteed the public and the nuclear power industry back in the 1970s that it would be responsible for siting a depository to encourage the nuclear energy industry. Politics has stalled this promise for 30 years.

Q. How can uranium compete in the marketplace with other forms of energy?

Currently, the nation’s fleet of nuclear plants numbers 99, down from 104 just two years ago. The cost to operate these baseload facilities is slightly more than that of gas, wind and solar. Solar and wind receive subsidies from the government to encourage development.

Nuclear’s initial capital outlays are enormous and it’s no wonder that utilities are opting to build more natural gas electrical generators. Nuclear cash costs for generating a kilowatt hour are competitive with all forms of energy. Only hydro is less expensive. Nuclear is dependable, has zero emissions, is carbon free and provides constant and affordable power at night when the wind is not blowing. This is not to say gas and coal electric generators cannot provide some of the same benefits.

To obtain the goals of the Obama Clean Power Plan (CPP) for carbon emissions, additional sources of dependable baseload carbon free energy is required. The third generation of nuclear plant designs are now starting the review process at the Nuclear Regulatory Commission. All these newer generation designs are safer, and in most cases smaller, allowing them to be modularized and able to meet the nation’s needs.

“Clean coal, nuclear and natural gas, along with wind and solar, should all provide efficient, dependable and affordable electricity.”
Q. Can you please tell us about your background in the industry and what you are most proud of?

I had two “careers” in the uranium mining industry. From 1979-1982, I worked as the community relations coordinator at the Conquista Project, a joint open-pit uranium operation of Conoco and Pioneer Nuclear Industries. It was shut down due to low prices and I, along with more than 500 fellow employees, was laid off.

When prices rebounded in the early 2000s, head hunters started looking for folks who were still alive with experience in the industry and so I went back to work as community relations coordinator for Signal Equities LLC from 2008-2015.

During those times, I was fortunate to have a couple of great bosses, first Dan Harper and then Charles Salsman, who encouraged me to be offensive in our outreach to the communities in which we operated. They supported these efforts, which included projects such as a scientific study to graze cattle on reclaimed land, analysis of area groundwater quality decades after the ISR well fields had been reclaimed and other studies of the near- and long-term impacts of uranium mining and restoration. The results of those projects provided a lot better understanding and support for our industry.

Q. What was it like to play a part in the early development of Texas’ uranium mining?

The industry began in Texas during the Cold War. Providing uranium for the national defense, and as fuel for the developing nuclear industry, was of great importance, while concern about the environment and legacy of unregulated production was of little consideration. I came along at the time when industry leaders, environmentalists and elected officials began to step back and review where we had come from, where we should be going and how. In those days, there was available a lot of emotion, but not much science. We were all “learning together” back then.

Q. Do you think perceptions of the industry have changed significantly since then?

By and large, the American public falls into the same divisions, whether the subject is politics, the environment or where the best tacos can be had. There are roughly 10 percent on each end of the scale whose minds are made up and won’t be changed for any reason. But those remaining 80 percent are, to varying degrees, open to new information and can change their opinion if presented with accurate facts in an understandable fashion. I have found that to be true with folks who live in an area where uranium deposits are located, the elected officials who represent them, and the regulatory agency employees who enforce the rules. The worst thing our industry can do is to pull back from engaging these groups and sharing our science-based and historical story.

Q. What do you think about the future of Texas uranium mining?

Like most any commodity, the future of uranium will be tied to the market price. Millions of dollars of investment are on hold waiting for that cycle to swing back up again. And when it does, everyone gets back in the game. This is nothing new to a state that has seen large swings in the oil industry and its impact on funding state and local government programs. I’d like to see a greater emphasis from Texas nuclear utilities to utilize uranium produced in Texas. I also think that developing a “fair trade” label for uranium produced in countries with stricter environmental regulations, as opposed to that produced in countries with little or no concern for production operations, would greatly assist domestic production.

Q. How has the relationship between Texas uranium miners and regulators changed?

I think we go back and forth between glimmers of hope and wanting to pull out our hair – both sides. As I mentioned, in the early days, there was a lot of learning going on. Reclamation regulations were jointly developed and voted into law. Regulators were hired to enforce the new rules. Heck, I even took one of the Railroad Commission inspectors out dancing a couple of times. It was fun raising eyebrows on both sides.
Leaders in Mining
Carl Campbell

Q. What have been your major accomplishments for the industry?
Growing up in West Texas, hard work and dedication were instilled in me at a very young age. As a teenager working for my father on a road construction crew, my passion for aggregates and construction materials came naturally. For some people, aggregates are simply rocks, but for me, it’s in my blood. Although I experienced major personal accomplishments throughout my career, I am most proud of the strides our industry has made over the years through the many associations that support our industry. The associations provide the necessary means that allow all producers, large and small alike, to contribute to a strong Texas economy, local communities, and a bright future for generations to come. It has been my distinct honor to serve on numerous boards of director, including the National Sand, Stone and Gravel Association (NSSGA) and the National Ready Mixed Concrete Association (NRMCA).

Q. What major issue will the industrial minerals industry face in the year ahead?
I see one of the big challenges as the ever-increasing environmental regulations that are so overly detrimental and unnecessary. These put small operators out of business and drive the production cost up for large and small companies, affecting all walks of life. Hopefully, the Trump administration will ease this up a bit.

Q. Is the industry ready for the challenges?
Absolutely, with state and national associations – TMRA and the NSSGA – working with and educating current and future administrations at the state and federal levels, as well as the public, we are on the right track to argue our case that overregulation is unnecessary and frequently not science-based.

Q. What do you want Americans to know about aggregates?
The public should know that our industry has evolved into responsible stewards of the environment, while producing the much-needed materials of everyday life. Stone, sand and gravel are indispensable to maintaining the quality of American life.

Some stats and information from NSSGA: each American uses about 10 tons of aggregates every year. They are a major part of the roadways and bridges we take to work and school. They are the foundations and building blocks of our homes, schools, churches and hospitals. They are involved in the manufacture of every day products like paper, glass, medicines and fertilizer. Sand and gravel go into the production of hundreds of household products, such as cleansers, cosmetics, toothpaste and chewing gum. They are also used in water filtration/purification, sewage control, wastewa te control and air filtration.

Q. What inspired you to work in mining?
My father managed a construction company in West Texas. Working for him during summer breaks, he would assign me to the rock quarry or asphalt plant. I would ask over and over again: “Why not let me work in the field, surveying for roads or operating road-building equipment?” His answer was always short and sometimes not so sweet: “You’ll figure it out someday.” As we developed more and more products, the light bulb finally came on. I realized that aggregates are truly the cornerstone of everyday living. I am still surprised at how much aggregates have to offer to anyone interested in making a career in this industry.

Q. Are there other leaders that you look to?
I am fortunate to be involved in local, state and national markets and to have met many great leaders along the way. There are so many past and present that I admire that it would be far too lengthy a list. What I find most inspiring is the young people who are joining our industry. For the ones who plan to make it a “true career,” their passion and desire to succeed, and how they address challenges and issues while focusing on safety and “doing the right thing,” gives me great hope for the future.
Q. What are you most proud of accomplishing in the industry?

The three most significant accomplishments I was honored to be a part of include:

1. Developing and ensuring passage of a series of state incentives to encourage the implementation of Carbon Capture, Utilization and Storage (CCUS) technologies. This paved the way for the world’s largest CCUS project, which is now being implemented in Southeast Texas (NRG’s Petra Nova Project);

2. Pulling together a coalition of utilities, railroads and lignite and PRB coal producers to fend off attempts by anti-coal groups to force the premature retirement of coal-fired power plants in Texas; and

3. Working in concert with lignite producers in North Dakota, Texas and the Gulf Coast, as well as rural electric cooperatives, to legally battle against EPA’s 111(b) and (d) Rules. This included the issuance of a stay by the U.S. Supreme Court against the Clean Power Plan – something that has never been done in our nation’s history.

Q. Do you expect the new administration’s pivot toward rolling back industry regulations will make new coal-burning power plant projects more attractive?

Because wholesale electric power prices at historic lows in states where coal-fired power plants might otherwise be viable, it is very unlikely that new coal plants will be built in the near-term. However, the Trump administration’s rollback of unnecessary regulations will help balance the playing field for coal, if market conditions improve over the long-term. Another priority of the current administration – increasing energy exports – should deliver another positive market direction: increased natural gas prices (and to the extent that coal export markets grow for PRB, more cost advantages for lignite).

Q. What is the viability of the continuing operation of existing coal/lignite mines and power plants?

Because Texas has the largest, youngest and cleanest coal-fired power plant fleet in the nation – in the absence of a shift back to anti-coal federal regulations – Texas plants have decades of useful life remaining. This can ensure the continued viability of the Texas lignite industry. Because the economics of baseload generation sources are being undermined by market distortions (resulting from state and federal subsidies favoring wind and solar), some Texas plants could be forced to retire if our wholesale market design is not refined to balance the playing field for baseload power producers.

Q. What would you say to skeptics of clean coal technologies?

It depends on which pollutant the skeptic is focused on. For skeptics of clean coal technologies who worry about the local or regional impact of conventional or hazardous air pollutants, their skepticism is based on a lack of information (or willful ignorance). Emissions of those pollutants have been dramatically reduced across the fleet over the past five decades, even while we dramatically expanded our economy and our use of coal. Calls for additional reduction of these types of pollutants are largely based on scientifically-flawed risk assessments, which dramatically inflate the value of further emission reductions.

For skeptics of clean coal technology focused on carbon dioxide, they need to develop legally-supportable, market-based commercialization of carbon capture technology (what the IPCC deemed the most important global carbon mitigation strategy), rather than premature and illegal mandates. The inevitable shelving of the Clean Power Plan should serve as a lesson that environmental regulations must be based on clear legal authority and technologies that do not depend upon subsidies for commercial viability – both of which the Clean Power Plan was sorely missing.

Those who oppose the use of coal domestically need to start living up to the age-old environmental ethic: “think globally, act locally.” The time has come for anti-coal advocates to think...
outside of their bubble and better understand the global realities of energy poverty. Modern coal plants play an important role in helping developing nations improve the quality of human life. No empathetic human being should advocate policies that slow access to electricity for the billions of people still living in energy poverty, especially when it is universally accepted that access to electricity leads to longer and healthier lives and dramatically higher levels of education.

For those skeptics who stay awake at night worried about cataclysmic climate change, they need to come to grips with the reality that CCUS technologies for coal should be their highest priority, and that it needs to be cooperatively developed domestically so it can be cost-effectively deployed globally. In short, the world needs our energy technology, not a “keep-it-in-the-ground” environmental ideology.

Q. As Energy secretary, what do you think Rick Perry will do for the lignite industry?
Based on his proven track record as governor of Texas and founder of the Texas Clean Coal Technology Council, the Texas lignite industry has direct experience with Secretary Perry’s knowledge and advocacy for coal in Texas. As the head of the largest energy technology developing agency in the world, he can dramatically expand research and development of clean coal technologies using the public-private partnership model he championed in Texas.

Q. How do you think Texas serves as a model for energy development?
Critics of the Texas model advocate a command-and-control approach to regulation based on a generalized distrust of industries that they apparently do not understand. Texas serves as a model for energy development because it has demonstrated that environmental and economic goals can be achieved simultaneously through a collaborative, science-based approach to regulation that emphasizes markets over mandates. This model has allowed energy developers to cost-effectively improve environmental performance with predictable and practical timelines for compliance.

Q. Is Scott Pruitt the right person to lead the EPA?
Yes. As attorney general of Oklahoma, Pruitt became intimately familiar with the legal flaws of the prior administration’s environmental regulatory agenda. He has the legal expertise to chart a path to retrace eight years of regulatory overreach by the EPA in a way that will survive the legal challenges that we can expect to be filed by environmentalists and the states they control.

Q. What inspired you to first enter the energy sector?
Growing up in Northwest New Mexico, where the energy production and environmental protection are shared values, I knew from an early age that I wanted to pursue a career in energy and environmental law. My hope is to be a part of a renewed awareness in our country that takes pride in what we have concurrently achieved for both energy and the environment. I look forward to a more enlightened national policy – one where we stop apologizing and start leading.

“The time has come for anti-coal advocates to think outside of their bubble and better understand the global realities of energy poverty.”

“No empathetic human being should advocate policies that slow access to electricity for the billions of people still living in poverty.”

Nasi recently joined Texas Attorney General Ken Paxton and West Virginia Attorney General Patrick Morrissey to discuss the Clean Power Plan rules in advance of their argument before the D.C. Circuit. Source: Jackson Walker
Hal Quinn is president and CEO of the National Mining Association (NMA), leading its multi-faceted representation of the domestic mining industry since 2008. Under his leadership, NMA established CORESafety, a scalable safety and health management system for the mining industry, and launched major minerals and energy public awareness and advocacy initiatives. He has represented mining’s interests before the executive, legislative and judicial branches of the government and serves on the International Energy Agency’s Coal Industry Advisory Board and on the board of directors of the U.S. Energy Association and the National Energy Foundation. He is president of the American Coal Foundation and a member of the Society for Mining, Metallurgy and Exploration.

“Production is already running about 15 percent higher than a year ago.”

Q. What are your accomplishments in the industry that you are most proud of?
I think we can take pride in the regulatory reset that – with the support of Congress and the Trump administration – has addressed our priority objectives this year. Already we have seen Office of Surface Mining’s (OSM) stream rule voided, the moratorium on federal coal leasing lifted and the Clean Power Plan and the WOTUS rules pulled back. Our challenges are never over, but we were prepared and came fast out of the gate.

I’m most proud of the team we’ve put together here at the National Mining Association (NMA). This is a highly skilled and dedicated group of professionals who work seamlessly together and have managed to achieve major accomplishments for our industry in the courts, in Congress and in the federal agencies. That we’ve managed to do this under exceptionally trying circumstances for our members I think speaks well for the character of our people. We even manage to keep our sense of humor in spite of the tough times.

Q. Do you expect coal miners to go back to work this year?
Yes. You can sense the new optimism at all levels. The evidence already suggests that a combination of improving market conditions and some badly needed regulatory relief is removing some of the pressure on producers. Production is already running about 15 percent higher than a year ago. We should begin to see gradual improvement in the job market.

Q. Were you surprised by recent polling that says 71 percent of voters support using domestically-sourced materials for government-funded infrastructure projects?
Not really. Our own polling shows identical results. I think Americans are eager to use our abundant resources and reasonably confident we can do so responsibly. And we do use them responsibly, under the most environmentally protective laws in the world. The question is how can we improve our access to this mineral wealth so we can provide the resources that Americans appear to want and at the same time optimize our efficiency as an industry.

Q. With President Trump’s emphasis on shoring up America’s critical infrastructure, how will the U.S. mining industry contribute?
Whatever we mine – from aggregates to zinc – will be at the front end of the supply chain that we’ll need to rebuild this country. The coal and uranium we produce is critical to assuring that our basic industries have affordable and reliable power and that our energy infrastructure has the fuel diversity and reliability needed for a strong economy. We’re encouraged that the Trump administration appreciates mining’s contributions to the nation’s infrastructure. And we plan to be ready when the administration and Congress launch a rebuilding program – one that I think most Americans will support.

Q. What are your 2017 priorities?
One of our strategic priorities has been to improve the inefficient permitting process that continues to inhibit the performance of our industry and, in fact, the entire economy. Our mineral resources are the envy of the world, but our duplicative and time-consuming permit process is among the least enviable. Why should it take American miners seven to 10 years to get a mine permit when our competitors in Canada, Australia and Chile get theirs in only 18 months? We’ve

(continued on page 18)
Q. Can you please tell us about your background in the industry and what you are most proud of?

In 1971, Texas Utilities System made public that it would protect natural resources, while providing much-needed electrical energy to our customers. The strength of this commitment was evidenced by our announcement that we would reclaim the mined land, even though there were no laws requiring such action. This was a bold step and subject to criticism and skepticism from some members of the public and industry. I am most proud that we followed through with our commitments by establishing a comprehensive reclamation program based on research, planning and implementation that continues to this day. This is best exemplified by our Environmental Research Program that continues to this day.

Q. What was the impetus of the reclamation programs here in Texas?

The impetus was our integrity, both personal and professional. We made a commitment and we were going to live up to it.

In the early years, when asked, “Why are you doing this if you don’t have to?”, our patent response was “It’s the right thing to do.” And it was. In every human activity, whether it be walking across the grass or mining, there is an environmental impact or trade off. A sound approach to a remedy or mitigation of that impact is the key. Obviously, economics plays a role, but we always sought a balance between what made environmental sense and what made economic sense.

Q. What were some of the early hurdles?

Certainly, overcoming the nationwide negative perspective surrounding mining.

Our company, and subsequently the rest of the industry, invoked a transparency code long before the term became popular. The public, advocacy groups, academia, the media, etc., were provided tours of our operations, not only to let them know what we were doing, but also to receive their feedback. I think that visitors to the operation found that no matter who the company was, the commitment and follow through was the same.

Q. How has the relationship between Texas miners and regulators changed?

We were fortunate that most of our programs were in place before the agencies came into being. As the agencies formed, they came to us for some exposure and information as to what they would be regulating. For instance, the legislative committee that wrote the Texas Surface Mining Act spent several days at our facilities prior to writing the document. TMRA played a major role in setting up this event. This opened the door for communications over the years.

TMRA’s Environmental Committee has done a stellar job in creating a solid relationship for interaction with the agencies. There have been some contentious issues with both the state and the federal agencies over the years, but these were ultimately resolved.

The relationship between the miners and regulators is like most processes in that it continues to evolve and improve with time.

An example of this evolution is that early on, our company’s environmental services department established and published tenets for working with regulators. I feel sure that other companies had similar documents/procedures. Our tenets were:

Basic Environmental Tenets
(Working with Regulatory Authorities)
• Be Proactive
• Establish Relationships
• Negotiate
• Cooperate
• Comply

In 2016, the director of the RCT called to ask me if he could “borrow” these from me since I had authored them. He wanted to modify these tenets to use with his staff. He did so and has presented them at many conferences and public meetings. To me, that exhibited a willingness to work together that is built on trust and integrity. It is a clear signal of a strong relationship between the industry and regulators.

(continued on page 18)
George Bokorney (continued from page 12)

But like the American public, regulators and industry folks have that 10 percent fringe that really has little to no use for the other guys. And some of the regulators have never been to a mine site to better understand what they’re charged with regulating. But communication between the two sides has been great over the years. Workshops, tours and conferences have all worked to educate both sides. This has ultimately benefited the citizens of the state.

Q. Given some of its challenges, what would you say to a young person who is thinking of going into this industry?

Two things really: first, be as broadly educated as you possibly can. I graduated with a degree in photojournalism. I wasn’t an expert in anything. But I was trained to know a little bit about a lot of things, or to identify those folks in my circle of contacts who I could turn to with a question. By and large, that was before the internet came along. What an advantage that resource is to a young person today. Secondly, don’t get caught up in the 10 percent fringe. Certainly, it’s important to have your foundational standards and morals. But the more open you are to learn from those with a different opinion, the more effective you will be in working toward a resolution acceptable to both. Either that, or you’ll wind up in politics!

Hal Quinn (continued from page 16)

worked to advance legislation that will streamline this process. Now we will simultaneously pursue similar reforms with the new administration.

We’ve also sought relief from a number of regulations proposed and imposed by the past administration – from unnecessary and costly new financial assurance requirements for the hard rock industry to potentially devastating regulations on coal operators. As your readers well know, the past administration was no friend of the coal industry. We’ve worked to void the OSM stream rule and we won a decision from the Supreme Court to stay the Clean Power Plan – then succeeded when the Trump administration announced it would review it. We were successful in persuading the administration to review and replace the Clean Water Act WOTUS rule and were also pleased to see the president lift the moratorium that had been placed on new coal leases.

So we’re off to a fast start, but the race isn’t over yet.

Q. Are there other leaders, past or present, that you look to for inspiration as you lead the mining industry?

I have benefitted both professionally and personally from working with the leaders of our member companies who have provided the vision and tone for the association’s strategies. A good example would be their full support in the development and uptake of NMA’s CORESafety framework as a model mining safety and health management system. During my career, I have had the opportunity to work with and learn from a wide range of the mining family from the miners to the management. What I find inspiring is their dedication and skill with so much potential to make great things happen for their communities and country.

Richard L. White (continued from page 17)

Rules to Work By:
(The SMRD Environmental Tenets)*

- Establish Relationships
- Be Proactive
- Initially, Seek to Understand
- Find ways to Facilitate a Solution
- Comply

*These tenets were derived, with permission, from “Basic Environmental Tenets,” authored by Richard L. White.

Q. How will Texas be affected by the new administration?

There may be some minor impact in the form of letting existing mine mouth facilities “play out” their deposits. However, the low price of gas will continue to have a major negative impact on the mining industry. It’s just economics.

Q. Who do you look to for inspiration?

Personally, the leader that was my major inspiration was Earl Voskamp, who was the vice president and general manager of our company when we were starting our mine mouth operations in the late ‘60s and early ‘70s. He continually stressed that our priorities would be safety, the environment and production, in that order. It shocked a lot of people, both internal and external to the company, but he had a fierce belief that it was the right way to do business. He felt that having made a commitment to this, for us to do otherwise would crater our personal and corporate integrity. That set the stage for all of us and certainly made my job in setting up corporate environmental programs and policies much easier.

Another was Si Holt, who was one of the first TMRA leaders. He saw the importance of the environmental issue and from the onset, gave environment a place at the table. Regulators, legislators and advocates were aware of this and saw it as a plus for the industry.

“The relationship between the miners and regulators...continues to evolve and improve with time.”
The 85th Legislative Session Review
By Mance Zachary, TMRA Governmental Affairs Chairman

March 10 was the first big deadline of the 85th legislature’s 140-day session. This date marked the 60th day of session and all legislation had to be filed by then. The total count of bills and resolutions filed in both chambers exceeded 8,000; 5,268 were filed in the House and 2,734 in the Senate. That amounts to the second largest number of bills filed during a legislative session in the last 25 years.

By the halfway point of this legislative session, more than 3,600 bills and resolutions had been referred to committees of jurisdiction. That’s a lot to review!

While those numbers are big, the only bill that legislators are required to pass is the budget, which drives the bus on all discussion.

TMRA regularly attended and engaged with committee members of jurisdiction and filed positions on several bills, including HB 3175 by Rep. Ron Reynolds (D-Houston), which would have been a big tax increase for several member companies; HB 773 by Rep. Eric Johnson (D-Dallas), which would have resulted in additional cost for members associated with a climate change study; and HB 3200 by Rep. Andrew Murr (R-Kerrville), which would have imposed unnecessary fees and regulations for aggregate producers. None of these bills passed.

Several other bills of interest that TMRA tracked closely include:

- HB 1818 by Larry Gonzales (R-Round Rock), is the Railroad Commission of Texas Sunset bill, which was signed by Gov. Greg Abbott on May 22 and is effective on Sept. 1;
- HB 62 by Rep. Tom Craddick (R-Midland), which outlaws texting while driving, was signed by the governor and becomes effective on Sept. 1; and
- SB 1 by Sen. Jane Nelson (R-Flower Mound) is the budget bill, which was passed by both chambers the last week of session. The $217 billion, two-year budget passed by a final vote in the House of 135-14 and in the Senate by 30-1.

TMRA Safety Committee Report
By Jason Myers, TMRA Safety Committee Chair

The TMRA Safety Committee had a great year. On April 10-13, the Mine Safety and Health Administration (MSHA) held its annual South Central Mine Safety and Health Conference in Grapevine, during which Kevin Strickland introduced MSHA’s new safety campaign. He was very passionate and direct on reducing fatalities in the mining industry, citing the goal as zero tolerance for unsafe work and “no one getting hurt” at work.

The TMRA Safety Committee will hold a Safety and Health conference call for members during TMRA’s third quarterly meeting. In 2017, our objective is to increase the safety committee membership, as well as participation on the conference calls and in workshops. Please contact me at Jason.myers@luminant.com with suggestions. I look forward to working with you this year, and can’t wait to make this the safest year yet! Conference call: Aug. 3 at 2 p.m. Call 866-857-6769; code is 154-331-0177.
Q. Where and what do you teach?
A. I teach 8th grade science at Watauga Middle School in Watauga, Texas.

Q. How long have you been a teacher?
A. This is my 15th year in education and my 11th year at my current school.

Q. Why did you enter the teaching profession?
A. I went through some really tough times during my middle school years, and a teacher helped me get through it. I wanted to be that person for someone, as well as making science approachable and fun for students.

Q. What motivates you to teach?
A. My students – all day, every day. I strive to be the best I can be every day so that they can have the best experience possible and be successful. Some days it is about the science, but others it is about helping a kid who is going through a rough time and needs support.

Q. What is your favorite thing about teaching?
A. The look on my students’ faces when they finally understand a concept they have been struggling with. Everyone talks about the “lightbulb” moment and it really is true. An ultimate win for me is when a student tells me they never liked science before, but now they do.

Q. What role do you play in the TMRA Teacher Workshop program?
A. I am one of the presenters who help conduct some of the workshops. We have an amazing team and we tag-team the workshops. I do some coal workshops, as well as the industrial minerals workshop. I came as a participant to Coal Camp in 2007 and never left.

Q. Did you know much about mining in the U.S. before becoming involved with the TMRA Teacher Workshops?
A. I knew nothing about mining in Texas prior to attending as a participant. The workshops changed my thinking about mining in general and particularly how it is done in Texas. I came away from the reclamation tours with an entirely new perspective on the mining industry as land stewards. I was amazed at the dedication and care taken to restore land. I think a pivotal moment for me was seeing bald eagles nesting in the reclamation area I toured. It was phenomenal. I have met some of the kindest, most generous people I know through the mining workshops.

Q. What is the most important thing teachers can learn from the workshops?
A. I think that many teachers don’t have a clear picture of energy production and transformation and that is a theme in our Texas science standards. The workshop is beneficial, both in helping teachers understand the content that they teach, and in providing hands-on activities and resources. We also give teachers time to collaborate and talk about how concepts carry through vertically so that an elementary school teacher can see how to build a foundation for middle school students.

Q. Can you discuss the value of hands-on learning?
A. Hands-on learning cannot be emphasized enough. Brain research shows that students remember much more of what they do than what they hear. The model of “stand and deliver” is obsolete now. Students need to explore and “invent” their own concepts. The teacher is more a facilitator of learning than a “fount of knowledge.” Elementary and middle school students need concrete experiences to cement their knowledge.

Q. What are your most fond moments of the TMRA Teacher Workshop program?
A. There are so many! As a participant, it was probably those bald eagles! As a presenter, I think one of my favorite things is watching the groups gel and come together. Each workshop has its own personality and it’s always fun to see. Also, the look on the participants’ faces when they see the dragline! No amount of description can prepare you for the size of that thing. We also found an entire petrified log in one of the pits one year. They let us keep it, and it’s now in my classroom – on casters because it is so heavy! Really, each summer is pretty much full of fond moments.
TMRA Annual Meeting

The TMRA Annual Meeting at the Hyatt Regency Lost Pines Resort & Spa from Oct. 29-31 could not be held without the generosity of our sponsors, who help offset TMRA’s costs while keeping registration fees as low as possible. We are very grateful for their support!

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- In the Annual Meeting program.

For more information, please contact Cathy Pierce at cathy.pierce@tmra.com or 903-238-6624.
Coal's Colossal Comeback

By Stephen Moore

Buried in an otherwise-humdrum jobs report was the jaw-dropping pronouncement by the Department of Labor that mining jobs in America were up by 11,000 in March. Since the low point in October 2016, and following years of painful layoffs in the mining industry, the mining sector has added 35,000 jobs.

What a turnaround. Liberals have been saying that Donald Trump was lying to the American people when he said that he could bring coal jobs back. Well, so far, he has delivered on his promise.

There’s more good news for the coal industry. Earlier this month, Peabody Energy – America’s largest coal producer – moved out of bankruptcy, and its stock is actively trading again. Its market cap had sunk by almost 90 percent during Barack Obama’s years in office. Arch Coal is also out of bankruptcy.

It turns out that, after all, elections do have consequences. The Obama administration and its allies, such as the Sierra Club, tried to kill coal because of their obsession with global warming. Regime change in Washington has brought King Coal back to life.

Donald Trump pledged to coal miners in small towns across America that he would be a friend to American coal and fossil fuels. As promised, Trump has lifted the so-called Clean Power Plan regulations and several other EPA rules that were intentionally designed to shutter coal plants, which it accomplished with ruthless precision. Hillary Clinton had promised her green allies that she would finish off every last coal-mining job in America.

The coal miners weren’t too happy about this, and her arrogant disregard for a leading American industry that hires tens of thousands of union workers contributed to her losing almost all the coal states – many of which were once reliably Democratic.

America was built on cheap and abundant coal. Fossil fuels powered the U.S. into the industrial age and replaced windmills and wood burning, which were inefficient, as the primary sources of electricity.

America currently has access to 500 years’ worth of coal – far more than any other nation. Despite the last decade’s war on coal, the U.S. still derives about one-third of our power from coal, making it second only to natural gas.

Liberals have argued that coal could never make a comeback, because of cheap natural gas. Clearly, the shale gas revolution – with prices falling from $10 to $3 per million cubic feet – has hurt coal producers.

But economic necessity is the mother of invention, and coal companies, including Peabody, have figured out how to become far more efficient in production. What’s more, clean coal is here. Emissions of lead, sulfur, carbon monoxide and other air pollutants from coal plants have fallen by more than half, and in some cases 90 percent, in recent decades.

The climate-change industrial complex pontificates that the U.S. has to stop using coal to save the planet. But even if the U.S. cut our own coal production to zero, China and India are building hundreds of coal plants. By suspending American coal production we are merely transferring jobs out of the U.S.

Renewable energy is decades away from being a major energy source for the world. Until that happens, coal and natural gas will compete as low-priced, super-abundant, domestically produced energy sources for 21st-century America. Nuclear power will, I hope, continue to play an important role, too.

Meanwhile, for all the talk of the growth in wind and solar industries, they still account for less than 10 percent of our energy. Almost 70 percent comes from natural gas and coal.

Coal isn’t dead in America. It is unleashed. As a Washington Times editorial put it very well recently, “The left gave up on the 100,000 coal workers in America more than a decade ago. Donald Trump has not.” Remember this the next time Elizabeth Warren or Nancy Pelosi lectures us about how much they care about the working class in America.

Three Oaks Mine Says “Hay” to its Special Needs Neighbors

Luminant – Texas’ largest power generator – has a long-standing legacy of supporting critical community needs. As part of that commitment, Luminant’s Three Oaks Mine and its employees have provided nearly 30 bales of hay to Williamson County’s Down Home Ranch.

Grown on the mine’s award-winning reclaimed land, the hay supports the cattle program at Down Home Ranch – a 410-acre farm and ranch where individuals with Down syndrome and other disabilities put their ranching skills to work.

“We take pride in supporting our neighbors, and when Down Home Ranch needed hay to feed its animals, we jumped at the opportunity,” said Chad Clark, Luminant’s Three Oaks Mine environmental supervisor. “Our reclaimed land produces excellent hay, and when we have over-production years, we like to share it with the community.”

Three Oaks Mine has donated hay bales for the past few years, helping to “beef-up” the ranch’s cattle program and sustainability efforts.

“Luminant is basically helping us continue our cattle program, which gives opportunities to our ranchers to work with the cattle,” said Craig Russell, Down Home Ranch interim executive director. “We’re completely self-sufficient because of that cattle program, so Luminant is helping us feed ourselves. We would not be able to do this without partners like Luminant.”

With more than 30 head of cattle to feed, hay bales are a critical component of achieving sustainability at the ranch.

Hay is Integral to Mining Reclamation

“Three Oaks Mine supplies lignite coal to our nearby Sandow Power Plant. Once we finish mining a pit area, the primary goal is to return mined land to productive post-mine uses, such as pastureland and wildlife habitat,” said Sid Stroud, Luminant mine compliance manager. “The hay that we produce is typically used as mulch and helps with erosion control in our reclamation areas. When we can be good land stewards and good neighbors, we know our program is successful.”

More than 1,000 acres have been reclaimed at Three Oaks Mine; in total, Luminant has reclaimed more than 80,000 acres – the size of Bastrop, Cedar Hill and Possum Kingdom state parks combined. Learn more at https://vimeo.com/208742543.
The vast majority of American voters is unaware of the environmental and technological advancements of today’s mining industry, according to polling conducted by the National Mining Association (NMA), suggesting mining’s legacy skews perceptions.

The poll shows less than 10 percent of voters could assess the scale of emissions reductions that have been achieved in coal-powered plants, the acreage reclaimed and restored from mined lands, and other benchmarks of mining’s progress. Just one in five voters correctly identified clean-coal technologies that have dramatically reduced power plant emissions since the first Earth Day in 1970.

“This poll appears to underscore the stubborn impressions that remain from turn-of-the-century mining before the advent of the environmental era,” said Hal Quinn, NMA president and CEO. “The message here is that we need to do a better job of educating the public about the accomplishments of our industry – which like all basic industries is vastly different today than it was before the first Earth Day.

“An honest debate about regulation must start with a broader understanding of how today’s mining industry differs from mining in the past,” Quinn said. Learn more at http://nma.org/2017/04/20/poll-shows-minings-environmental-accomplishments-unknown-to-american-voters/
Past issues of TXMining are available as a pdf on the TMRA website so you can always check back for stories and information important to the association and the industry.

Here’s a sneak peek at what you can expect to see in TXMining the rest of the year.

**Fall 2017: Technology**
This issue will explore how the industry uses technology to cut costs. We will also include a special report from our Education Committee.

**Winter 2017: Year in Review (Digital)**
TMRA Committee Chairs will recap the year and take a look ahead. This is a digital report only that will be posted online in December.

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Contact: Lance Lawhon, TMRA advertising manager 512-832-1889 • lance@solafidei.com
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**MEETINGS AND EVENTS**

**TMRA 2017 QUARTERLY MEETINGS**
Sept. 6-7 | Dec. 6-7

**NON-TMRA EVENTS**

Oct. 4-6 Surface Mine Reclamation Workshop

**TMRA Annual Meeting**
Oct. 29-31 Hyatt Regency Lost Pines Resort & Spa, Bastrop, TX

Check www.tmra.com for a full schedule.


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