



BEFORE THE UNITED STATES DEPARTMENT OF ENERGY  
OFFICE OF ENERGY EFFICIENCY & RENEWABLE ENERGY

In the Matter of: )  
 )  
NATIONAL COAL COUNCIL )  
MEETING )  
 )

Virginia Room  
Marriott Wardman Park Hotel  
2660 Woodley Road, N.W.  
Washington, D.C.

Thursday,  
April 11, 2019

The parties met, pursuant to the notice, at  
8:03 p.m.

PARTICIPANTS:

STEVEN WINBERG  
NCC Designated Federal Office  
Assistant Secretary for Fossil Energy  
U.S. Department of Energy

JANET GELLICI  
Chief Executive Officer  
National Coal Council

KEYNOTE SPEAKER:

MARY NEUMAYR  
Chair  
White House Council on Environmental Quality

P R O C E E D I N G S

(8:03 p.m.)

1  
2  
3 MR. WINBERG: Good evening, everyone. Good  
4 evening, and welcome to the National Coal Council  
5 meeting. This is my second NCC meeting in this job,  
6 and my fifth NCC meeting, but Janet booted me out  
7 after I got this job.

8 (Laughter.)

9 MR. WINBERG: I'm still a little saddened by  
10 that, but --

11 (Laughter.)

12 MR. WINBERG: Thank you. So welcome to the  
13 kickoff of the 2019 spring meeting of the National  
14 Coal Council. Thank you all for being here tonight,  
15 and thank you to everyone who helped organize today's  
16 program. Special thanks goes to NCC Chair Deck Slone,  
17 Vice Chair Danny Gray, and all the members of the  
18 executive committee for their leadership, and to Janet  
19 and Horinthie as always.

20 Where did you go, Janet? There. Your hard  
21 work has paid off, marvelous dinner. So thank you  
22 very much.

23 (Applause.)

24 MR. WINBERG: Is Horinthie -- where are you?  
25 Are you here? She's still working.

1 (Laughter.)

2 MR. WINBERG: Well, when you all leave, give  
3 her just a little word of thanks. She does a  
4 tremendous job, and as you all know, it's a lot of  
5 hard work trying to herd cats like us.

6 So, Horinthie, thank you so much.

7 Also, I want to welcome our distinguished  
8 guest, Mary Neumayr. Mary chairs the White House  
9 Council on Environmental Quality, and I know how busy  
10 your schedule is because it took me a while to get in  
11 to see you a month ago. So thank you so much for  
12 being here with us this evening. We're extremely  
13 honored to have you. And I know that everyone in this  
14 room is looking forward to hearing what you have to  
15 say. So thank you.

16 I know you're probably eager to get started  
17 on all of this, so I'll be brief. A lot has happened  
18 since we met last year. You released the Power Reset  
19 report in the advancing coal exports last fall. And I  
20 can speak on behalf of Secretary Perry. He really  
21 appreciates the hard work that everyone in this room  
22 does on these National Coal Council reports. It's  
23 invaluable to the Department of Energy, and it's  
24 invaluable to the fossil energy office. So thank you  
25 very much.

1           I know you probably -- or we're all eager to  
2 get started here. For our part at the Department of  
3 Energy, I just want to say that we're ramping up our  
4 efforts to strengthen coal, to ensure its critical  
5 place in the nation's grid through our work on  
6 existing plants, our coal-first initiative, and of  
7 course carbon capture utilization and sequestration.  
8 We're also working on the new ways to create value  
9 streams for coal, and new ways to utilize this vast  
10 resource that we have in this country. And we need to  
11 do all of those things if we're going to maintain an  
12 all-of-the-above policy in the United States.

13           So with the Coal Council's work with our R&D  
14 and collaboration with our other partners, with input  
15 from industry, from many of you in this room, with a  
16 friendly regulatory environment, and with a president  
17 who is committed to the future of coal, we have a  
18 unique opportunity here to explore and develop  
19 exciting pathways to help us to get coal to where we  
20 want it, really where we need it to be.

21           So we'll hear about some of those pathways  
22 during the meeting tomorrow, and we'll hear from  
23 Undersecretary Menezes about the department's efforts.  
24 We'll also welcome new members, and we'll elect a new  
25 chair and vice chair.

1           So we're going to have a very informative  
2 meeting and a productive meeting tomorrow. And I hope  
3 that all of you are here tomorrow because here is the  
4 little tease. Undersecretary Menezes might, just  
5 might, have an announcement. And I'm going to leave  
6 it at that.

7           (Laughter.)

8           MR. WINBERG: Thank you very much.

9           (Applause.)

10          So Danny Gray, if I could ask you to  
11 introduce our keynote speaker, thank you.

12          (Applause.)

13          MR. GRAY: I'd like to reiterate to everyone  
14 we appreciate you being here, obviously, on behalf of  
15 Janet and the NCC, and of course to Deck and the team  
16 that has been here for the year. I've got the  
17 distinct honor of introducing our guest speaker. And  
18 most of you, or many of you, either know her or are  
19 impacted by her, I can assure you.

20          But Mary is the current chairman of the  
21 White House Council on Environment, Environmental  
22 Quality. She was unanimously confirmed by the U.S.  
23 Senate on January 2nd and sworn into office on January  
24 the 10th. Prior to her appointment, Ms. Neumayr had  
25 been serving as CEQ's chief of staff since March of

1 2017.

2 Before joining CEQ, Mary served in a variety  
3 of positions within the Committee of Energy and  
4 Commerce in the U.S. House, including the deputy chief  
5 counsel, Energy and Environment, 2017; senior energy  
6 counsel, 2011 to 2017, and counsel from '09 to '10.  
7 Ms. Neumayr also served as deputy counsel for  
8 environment and nuclear programs at the U.S. DOE  
9 during the period of '06 to '09, and as counsel and  
10 assistant attorney general for the Environment and  
11 Natural Resources Division of the U.S. Department of  
12 Justice.

13 Prior to her government service, Mary was in  
14 private practice in '89 through 2003 in New York and  
15 San Francisco, and she received her BA from Thomas  
16 Aquinas College and her JD from University of  
17 California Hastings College of Law. I think probably  
18 one of the more compelling statements that I saw and  
19 kind of speaks to who she is as a person was one of  
20 the quotes from her staff during the confirmation, and  
21 the quote was, "you can work with her and have a  
22 cordial, professional conversation".

23 So that says a lot. Welcome, Mary. Thank  
24 you.

25 (Applause.)

1 MS. NEUMAYR: Well, good evening, and thank  
2 you so much for that very kind introduction. I would  
3 just like to thank all of you for the opportunity to  
4 be here tonight and to participate in the National  
5 Coal Council's 35th anniversary celebration. It's an  
6 honor to be here with all of you and to have the  
7 opportunity to speak about some of the  
8 administration's energy and environment priorities and  
9 initiatives.

10 Coal has fueled our nation's growth for  
11 generations and has been and continues to be a  
12 critical part of our nation's energy portfolio. Over  
13 the past 15 years, I have had the privilege of working  
14 on coal-related matters in both the executive and the  
15 legislative branches, and I've had the opportunity to  
16 work with members of Congress from coal-producing  
17 states, with organizations, and many stakeholders,  
18 including the National Coal Council and Janet, and  
19 with members of the council.

20 So it's really a genuine privilege to be  
21 here, and a pleasure to be here, and I just thank you  
22 so much for the invitation. As was said, I have had  
23 the pleasure of serving at the Council on  
24 Environmental Quality since 2017, first as chief of  
25 staff and now as chairman.



1           I'd like to begin by providing a brief  
2 overview about the Council on Environmental Quality,  
3 and then go on to talk about some of the  
4 administration's priorities and policies generally to  
5 promote economic growth and job creation while  
6 protecting our environment and improving the quality  
7 of life of all Americans.

8           These priorities include pursuing  
9 commonsense regulatory reforms, expanding our nation's  
10 energy production and exports, and improving our  
11 nation's environmental review and permitting process  
12 to promote the development of modern infrastructure to  
13 meet our nation's needs, including our energy needs.

14           And after discussing some of the  
15 administration's more general priorities, I want to  
16 talk specifically about some of the CEQ-related  
17 actions that are currently pending. So just to start,  
18 by way of background, the Council on Environmental  
19 Quality was established in 1970 under the National  
20 Environmental Policy Act. It is both a component of  
21 the executive office of the president and also a  
22 federal agency, and we are housed at the White House,  
23 and we have a staff that includes career officials,  
24 appointed officials, and also detailees from many of  
25 the federal agencies.

1           So one of our core responsibilities under  
2 NEPA is to oversee the implementation of NEPA by  
3 federal agencies, and we do that through our  
4 regulations and our guidance. In addition to  
5 overseeing NEPA implementation, we also have a number  
6 of other functions. We advise the president on  
7 environmental policy matters generally. We  
8 participate in the interagency review process that is  
9 conducted for rulemakings. This is the review process  
10 conducted by OIRA within the Office of Management and  
11 Budget. And so we will often participate in the  
12 interagency reviews.

13           And then we also have -- and we were  
14 discussing this earlier. CEQ also does play a  
15 convening role when there is a need for the agencies  
16 to coordinate on environmental policy matters or other  
17 related issues. And that's something that has been a  
18 longstanding role of CEQ and continues to be.

19           So I would just like to start by saying that  
20 the administration is strongly committed to promoting  
21 clean air and clean water. The United States has and  
22 continues to be a global leader in clean air progress.  
23 And I think as you know, U.S. air quality ranks among  
24 the highest in the world. According to the EPA,  
25 between 1970 and 1973, our emissions of the six common

1 air pollutants dropped by an average of 73 percent,  
2 and EPA projects that those trends will continue going  
3 forward.

4           According to the 2018 Environmental  
5 Performance Index, the United States also ranks among  
6 the highest -- among the top countries in the world  
7 for water quality, and first for drinking water.

8           While the United States leads the world in  
9 environmental protection, we are also pursuing a  
10 strong economy. Countries with strong economies are  
11 best able to address environmental challenges, and in  
12 the United States, we are experiencing historic  
13 economic growth. More than 2.6 million jobs were  
14 created last year. The unemployment rate has remained  
15 at or below 4 percent for the past 12 months, the  
16 longest streak in nearly five decades, and hourly  
17 wages have grown at the fastest pace since 2009.

18           To ensure that we have a strong economy, and  
19 at the direction of the president, the administration  
20 has worked aggressively to reduce costly and  
21 unnecessarily burdensome regulations affecting  
22 multiple sectors of the economy, including the energy  
23 sector.

24           Federal agencies have undertaken reviews to  
25 consider reviewing, revising regulations that are

1       overly broad, complex, or that exceed the scope of an  
2       agency's statutory authorities. These reviews and  
3       related regulatory reforms, some of which I'll discuss  
4       shortly, have contributed to the historic economic and  
5       job growth that we're experiencing today.

6               One of the most significant deregulatory  
7       efforts by Congress and the administration has been  
8       the repeal of a number of rules under the  
9       Congressional Review Act. Prior to 2017, the  
10      Congressional Review Act had actually only been  
11      successfully used once, in 2001. However, since the  
12      beginning of this administration, Congress has issued,  
13      and the president has signed, resolutions of  
14      disapproval under the Congressional Review Act for 16  
15      rules.

16             One of those rules specifically affecting  
17      the coal industry was the stream protection rule.  
18      That rule would have decreased annual coal production  
19      in the United States and put at a risk a large number  
20      of coal-related jobs. According to a recent Council  
21      of Economic Advisors report, Congress' decision to  
22      overturn this rule through a Congressional Review Act  
23      resolution signed by the president, is estimated to  
24      generate an annualized 80 million in cost savings for  
25      the surface and underground coal-mining industries.

1           In his first few months in office, the  
2 president also issued a number of executive orders  
3 that specifically focused on regulatory, economic, and  
4 infrastructure improvements across our economy. In  
5 January of 2017, President Trump issued an executive  
6 order titled, "Reducing Regulation and Controlling  
7 Regulatory Costs."

8           This executive order directed agencies to  
9 repeal at least two existing regulations for each new  
10 regulation issued. Accordingly, last year, federal  
11 agencies issued 12 deregulatory actions for every new  
12 significant regulatory action, saving an estimated 23  
13 billion in regulatory costs. Through the end of  
14 fiscal year 2018, the Council of Economic Advisors  
15 report notes that a total of 65 regulatory actions  
16 affecting the energy sector were completed, with a  
17 projected present-value savings of over 5 billion.

18           To have a strong economy, as we all know,  
19 access to affordable, reliable energy is necessary.  
20 One of the administration's highest priorities is  
21 expanding access to affordable energy, both  
22 domestically and abroad, including through regulatory  
23 reforms. Just yesterday, in Crosby, Texas, the  
24 president signed two executive orders that seek to  
25 expand our nation's energy infrastructure.

1           The first executive order, which is titled,  
2     "Promoting Energy Infrastructure and Economic Growth,"  
3     recognizes that advances in our technology and  
4     innovation have allowed our nation to become a  
5     dominant energy force, including a leading energy  
6     exporter.

7           The order at the same time recognizes our  
8     need for expanded energy infrastructure in order to be  
9     able to transport energy, including coal, to end  
10    users, both domestically and abroad. The executive  
11    order specifically address a number of issues, one of  
12    which is state water quality certifications under  
13    section 401 of the Clean Water Act.

14          The process for issuance of these  
15    certifications has been a matter affecting a  
16    development of new energy infrastructure, including  
17    pipelines as well as export terminals. The executive  
18    order specifically directs the administrator of the  
19    Environmental Protection Agency to consider updates to  
20    the agency's existing regulations and guidance to  
21    ensure that implementation of section 401 of the Clean  
22    Water Act is efficient and is consistent with the  
23    statutory authorities.

24          The order directs EPA to focus on promoting  
25    timely federal-state cooperation and reasonable review

1 times for this process. In addition, the executive  
2 order also includes a section which directs the  
3 secretary of Energy, together in consultation with the  
4 secretary of Transportation to prepare a report to  
5 Congress on barriers to a national energy market.

6 The order requests that the report prepared  
7 by the secretary of Energy specifically address  
8 economic and other effects caused by limitations on  
9 the export of coal, natural gas, oil, and other  
10 domestic energy resources through the West Coast of  
11 the United States. The report will assess whether and  
12 to what extent state, local, tribal, or territorial  
13 actions have contributed to such effects.

14 The second order, executive order, signed  
15 yesterday addresses presidential permits for cross-  
16 border infrastructure. Decades of prior executive  
17 orders, regulations, and agency policies have resulted  
18 in a process that has delayed development of important  
19 cross-border energy infrastructure. The executive  
20 order addressing cross-border permitting provides for  
21 revisions to ensure that the process for future  
22 permits will be more efficient. And this executive  
23 order reaffirms that the issuance of presidential  
24 permits is solely a decision of the president.

25 These executive orders, which were signed

1 yesterday, build on earlier presidential actions  
2 intended to expand our nation's energy production,  
3 including for coal. In March of 2017, President Trump  
4 issued an executive order, EO-13783, which was titled,  
5 "Promoting Energy Independence and Economic Growth,"  
6 and has often been referred to as the Energy  
7 Independence Executive order.

8 This executive order directed all of the  
9 federal agencies to review agency action that  
10 potentially burden the safe and efficient development  
11 of domestic energy resources. As many of you may  
12 know, the order specifically directed the Department  
13 of Interior to lift the moratorium on coal leasing on  
14 federal lands, among other actions. And I'll speak  
15 about that in just a moment a little bit further.

16 But in addition, that executive order also  
17 disbanded the Interagency Working Group on the Social  
18 Cost of Greenhouse Gases, and directed the withdrawal  
19 of several related social cost of carbon documents, as  
20 no longer representative of federal government policy.

21 In addition, that executive order directed  
22 the Environmental Protection Agency to review the  
23 Obama administration's Clean Power Plan. This rule,  
24 which would have imposed federal mandates and billions  
25 of dollars on states and consumers, was challenged by



1 a majority of the states in the country and, as you  
2 know, was subject to a stay by the Supreme court in  
3 2016.

4 In August of this year, the EPA published a  
5 proposed replacement rule called the Affordable Clean  
6 Energy or ACE rule. The ACE rule establishes  
7 emissions guidelines for states to follow as they  
8 develop plans of their own to address greenhouse gas  
9 emissions from existing coal-fired power plants. The  
10 ACE rule would reduce carbon dioxide emissions from  
11 coal-fired power plants, but without imposing the  
12 clean power plant's significant costs and burdens on  
13 industries, workers, families, and consumers.

14 The rule preserves states' rights, promotes  
15 energy independence, economic growth, and job  
16 creation, and allows states to develop what is very  
17 important, diverse, reliable energy portfolios.  
18 According to the EPA, under some scenarios, the ACE  
19 rule will save a total of 6.4 billion in compliance  
20 costs compared to the Clean Power plan. EPA projects  
21 that replacing the Clean Power plan with the ACE rule  
22 could result in 3.4 billion in net benefits, including  
23 400 million annually.

24 Another proposed deregulatory action  
25 involves the regulation of hazardous air pollutants

1 from coal-fired power plants and involves a rule that  
2 also reached the Supreme Court. The court found that  
3 the EPA's 2010 decision in its mercury air toxics, its  
4 MATS rule, a decision that regulating coal-fired power  
5 plants was appropriate and necessary without  
6 considering costs, violated the Clean Air Act.

7 EPA has reconsidered this rule and has  
8 proposed that it is not appropriate and necessary to  
9 regulate mercury from coal-fired power plants, given  
10 the costs of compliance range from 7.4 to 9.6 billion  
11 annually while the quantifiable benefits relating to  
12 mercury reduction would range from 4 to 6 million  
13 annually.

14 Further, EPA has also issued regulations to  
15 provide more certainty with regard to the disposal of  
16 coal ash from coal-fired power plants, and has taken  
17 other deregulatory actions that may provide increased  
18 certainty for the coal sector.

19 As I noted earlier, the energy independence  
20 executive order issued in March of 2017 directed the  
21 Department of Interior to lift the moratorium on coal  
22 leasing, which the Department of Interior has done.  
23 This action is estimated to have made available for  
24 extraction an additional 17 billion short tons of  
25 federally-owned coal reserves in the Powder River

1 Basin alone.

2           Additionally, in February of this year, the  
3 Department of Interior announced that the Bureau of  
4 Land Management approved two mining projects in Utah.  
5 As now Secretary Bernhardt stated at the time, coal  
6 production on federal lands provides nearly 40 percent  
7 of our nation's coal. By approving these projects, we  
8 will ensure that these mines are operational for years  
9 to come, providing well-paying jobs and affordable  
10 energy for the people of Utah.

11           Further, in March of this year, the Office  
12 of Surface Mining Reclamation and Enforcement adopted  
13 the Forrest Service's supplemental final environmental  
14 impact statement and published a record of decision  
15 relating to the West Elk coal mine in Colorado. DOI  
16 also recently finalized a final EIS for the San Juan  
17 mine in New Mexico.

18           The U.S. Energy Information Administration  
19 estimates that U.S. coal exports increased 19 percent  
20 in 2018, totaling 116 million short tons, marking the  
21 second consecutive year of growth and highest level in  
22 five years. Steam coal was the primary driver in  
23 expanded exports, having grown 44 percent in the first  
24 three quarters of 2018 over 2017 levels.

25           India and South Korea were the leading

1 purchasers of steam coal, while the Ukraine and the  
2 Netherlands purchased a majority of U.S. metallurgical  
3 coal.

4           So I'd like to turn now and talk about some  
5 CEQ-specific actions. First I'd like to talk about  
6 infrastructure generally. Infrastructure has been a  
7 very high priority for the administration, and  
8 particularly for the Council on Environmental Quality,  
9 given our role in helping to oversee the  
10 implementation of NEPA.

11           As you know, for many major infrastructure  
12 projects, including energy and mining projects, the  
13 permitting process can often involve multiple federal  
14 agencies and overlapping statutory authorities,  
15 resulting in a process that is all too often very  
16 time-consuming and unpredictable and fragmented, and  
17 very costly.

18           Recognizing these challenges, in August of  
19 2017, the president issued an executive order titled,  
20 "Establishing Discipline and Accountability in the  
21 Environmental Review and Permitting Process for  
22 Infrastructure Projects," EO-13807. This is an  
23 executive order that seeks to reduce duplication and  
24 uncertainty of the environmental review process, and  
25 really does build on the efforts of past

1 administrations and of Congress to try to modernize  
2 the permitting process and to streamline and to  
3 address or reduce delays without compromising  
4 important environmental protections and public  
5 participation.

6 To implement this executive order, CEQ went  
7 back and compiled data on the length of time that it  
8 takes federal agencies to complete environmental  
9 impact statements. We looked over the period 2010 to  
10 2017 across all agencies, measuring the time frame  
11 from the date upon which a notice of intent to prepare  
12 an EIS is issued to the date of issuance of a record  
13 of decision. And we found at the time the average  
14 time was four and a half years. This report and the  
15 underlying data is available on our web site.

16 To reduce these time lines and to streamline  
17 environmental reviews, the executive order issued by  
18 the president in August of 2017 established what has  
19 been referred to as a one federal decision policy.  
20 This is a policy that sets a goal of not more than two  
21 years on average to complete an environmental review  
22 for a major infrastructure project, and it defines  
23 major infrastructure project as a project which  
24 involves multiple federal agencies and a project for  
25 which the lead agency has determined that an

1 environmental impact statement will be prepared.

2 Under the policy, the federal agencies are  
3 directed to at the outset prepare a joint schedule.  
4 That schedule is to be prepared by the lead federal  
5 agency in consultation with the cooperating agencies.  
6 The agencies are also directed to develop a single  
7 environmental document rather than multiple documents,  
8 and a single record of decision in most instances.  
9 There are some limited exceptions, but the agencies  
10 are directed to work together to complete the process  
11 within two years, and to issue all permitting  
12 decisions within 90 days after issuance of the record  
13 of decision.

14 There is also a requirement that the  
15 agencies have in place an elevation process so that  
16 issues that may result in delays to the project are  
17 elevated in a timely way and resolved by senior  
18 management at the agencies.

19 Last March CEQ and the Office of Management  
20 and Budget issued guidance on the one federal decision  
21 policy, and then a year ago this week 11 federal  
22 agencies and the permitting council that had been  
23 created pursuant to the FAST Act, the Federal  
24 Permitting Improvement Steering Council, all signed a  
25 memorandum of understanding relating to the one

1 federal decision policy.

2           They committed to seek to implement that  
3 policy and to meet the two-year goal going forward,  
4 and they committed to what really is an unprecedented  
5 level of coordination among the agencies in conducting  
6 their environmental reviews for these major projects.

7           The agencies have over the past year -- or  
8 sorry, the past few months, have been compiling the  
9 information, the schedules for these projects, and we  
10 actually just this week posted the first set of  
11 schedules for the major projects there available on a  
12 permitting dashboard, which is hosted by the  
13 Department of Transportation. And on a going-forward  
14 basis, agencies will be required to post schedules for  
15 these projects within 30 days of the filing of a  
16 notice of intent to prepare an EIS.

17           So this will provide greater transparency  
18 and accountability and predictability for project  
19 applicants, for project sponsors, and for the public.

20           A little bit about CEQ's regulations. As  
21 part of this executive order, CEQ was specifically  
22 directed by the president to review our own  
23 regulations and our guidance to -- and to make  
24 revisions that we deem necessary to modernize and  
25 enhance the environmental review and decision-making

1 process.

2 NEPA, as you may know, was enacted almost 50  
3 years ago, and our regulations were issued in 1978, so  
4 more than 40 years ago. They have been amended only  
5 once, in one very limited respect, in 1986. However,  
6 the CEQ over the years has issued more than 30  
7 guidance documents to assist agencies and the public  
8 in implementing NEPA.

9 So given the executive order, given the  
10 length of time that has passed since our regulations  
11 were issued, CEQ made a determination last year that  
12 we would invite public comment on potential updates  
13 and clarifications to our regulations. We did that  
14 through an advanced notice of proposed rulemaking,  
15 which we issued last summer, and we included a list of  
16 20 questions requesting comments on potential  
17 revisions to update and clarify regulations in order  
18 to ensure a more efficient and timely and effective  
19 process for decision-making by all the federal  
20 agencies.

21 We received over 12,500 comments. These  
22 came from a very broad range of entities, including  
23 states and localities, companies, trade associations,  
24 environmental organizations, NEPA practitioners,  
25 academia, and interested members of the public. The



1 comments ranged on a number of topics, but included  
2 potential revisions or updates to clarify the NEPA  
3 process and the documentation that's required,  
4 potential revisions to encourage the use of existing  
5 studies and analysis in order to promote a more  
6 efficient process.

7 We received many comments on the use of  
8 current technologies, which of course were not in  
9 effect in 1978. And then we received many comments on  
10 improved federal coordination. So we're in the  
11 process of reviewing those comments and considering  
12 potential revisions. We look forward to working with  
13 stakeholders and with agencies on any potential  
14 changes. And should we move forward, we will propose  
15 those changes, and we'll be seeking public comment.

16 Finally, the energy independence executive  
17 order that I mentioned earlier also directed CEQ to  
18 withdraw the greenhouse gas and climate guidance which  
19 had been issued by CEQ in late 2016. And so in April  
20 of 2017, we did withdraw that guidance for further  
21 consideration. Just recently we have submitted  
22 proposed draft guidance to OMB for interagency review.  
23 And following that review, we anticipate that we would  
24 publish that draft guidance in the *Federal Register*  
25 and seek public comment. And we look forward to

1 public comments.

2           So with that, I know it's the end of the  
3 evening, and I'd like to thank you all again for the  
4 invitation to be here tonight. Under the leadership  
5 of President Trump, we will continue our efforts to  
6 promote policies that ensure that our nation has  
7 affordable, reliable sources of American energy,  
8 including coal. And I look forward to working with  
9 the National Coal Council and with your members, and I  
10 look forward to that going forward. So thank you very  
11 much, and look forward to any questions.

12           (Applause.)

13           MR. WINBERG: Mary is going to take some  
14 questions, so anyone --

15           MS. GELLICI: Turn this on. Obviously, Mary  
16 is not busy at all.

17           (Laughter.)

18           MS. GELLICI: Thank you so much. That has  
19 been a tremendous rundown on everything that's going  
20 on. I learned a lot. I'm very impressed, and thank  
21 you very much for sharing that information with us.

22           So Mary has graciously agreed to take a  
23 couple of questions if folks have them, so thank you.  
24 And if you would please state your name and  
25 affiliation, that would be helpful for the

1 transcriber. Thank you.

2 AUDIENCE MEMBER: Hello. My name is Galash  
3 Srivastava (phonetic), and I do not have any  
4 affiliation anymore. I just retired from the  
5 government service a few months ago. However, my  
6 question is related to this. I really appreciate what  
7 you said about a review of everything. Two questions.  
8 One is related to the environmental quality. From  
9 what I understand, there have been a number of things  
10 directed toward EPA reducing the rules for the  
11 pollutants to the air and to the water in respect to  
12 the fact that there will be a cost reduction.

13 And the other question which really bothers  
14 me a lot, we have been talking all these years, at  
15 least 45 years of my professional life, that when we  
16 burn the coal, it's a pollutant. It pollutes  
17 everything. However, I have not seen during my 45  
18 years of professional life anything coming from the  
19 government or from those who are interested in  
20 reducing the pollution toward the technologies that  
21 promote non-burning technologies for the coal to  
22 produce power, which is also economical as well as  
23 cost-reduction. And I would like to know what has  
24 been done in this particular area, if you have any  
25 answers to that.

1 MR. WINBERG: Well, take one and I'll take  
2 two?

3 MS. NEUMAYR: Yeah, maybe you're -- yeah,  
4 maybe I'll take one, and you can take two.

5 (Laughter.)

6 MS. NEUMAYR: Yeah. So as I mentioned,  
7 regulatory reform has been a priority for the  
8 administration, and in particular consideration of  
9 some of the regulations issued by the Environmental  
10 Protection Agency, which may carry tremendous costs  
11 and have -- and/or present practical challenges for  
12 implementation and/or may raise questions.  
13 Particularly the clean power plan was an example of  
14 whether the agency's actions were consistent with its  
15 statutory authorities.

16 And so, there have been a number of rules  
17 that the agency has been in the process of  
18 reconsidering, and, you know, that's something that  
19 has been a priority because we want to ensure that the  
20 regulations that are issued are consistent with the  
21 relevant statutes and are also practicable to  
22 implement.

23 MS. GELLICI: Do you want question two?

24 MR. WINBERG: Sure. Great question on the  
25 technology. I will tell you most of the focus that we

1 have right now is on combustion and gasification. You  
2 of course know that. But there are other  
3 technologies, chemical looping being one of them. And  
4 I think as we look out over the horizon, the horizon  
5 for me being maybe the next five to ten years, clearly  
6 the focus is on combustion and gasification, small,  
7 modular, very efficient, near zero emissions.

8 But beyond that, when we start looking at  
9 other really advanced technologies, MHD, chemical  
10 looping, there are technologies out there that we  
11 have -- that we're investing money in, we're  
12 developing. And I think my children will probably be  
13 enjoying those technologies, and my grandchildren, but  
14 I'll be long retired by then.

15 And so, you know, we need to make sure that  
16 we keep technologies in the mix that we can  
17 commercialize in a time frame that's -- that will  
18 ensure that we have an all-of-the-above strategy for  
19 the next dozen years and beyond. But great question..

20 AUDIENCE MEMBER: Just one comment on that.  
21 There is a number --

22 MS. GELLICI: Just wait a minute. We have  
23 to have it on the transcriber's --

24 AUDIENCE MEMBER: Very brief. There is  
25 microbial technology which is very passive, does not

1 produce that much of pollutants from coal. It is not  
2 a burning technology, and it produces not only the  
3 gas. It also produces power, and also produces  
4 byproducts that can be used for the overall economic  
5 benefit. And I personally have not seen anything  
6 about that particular technology, and it's a microbial  
7 technology. And I have not seen anything about it.

8 MS. GELLICI: So thank you for your  
9 comments. As I am working my way back to another  
10 question here, I will mention that the National Coal  
11 Council at the secretary's request is currently  
12 working on a report on new markets for coal, which  
13 will look at non-combustion opportunities for new  
14 products. So we're looking outside of power  
15 generation. That report will be completed by mid-May,  
16 so let me address some of your concerns or questions  
17 at least.

18 So, Mark.

19 FEMALE VOICE: Identify yourself, please.

20 AUDIENCE MEMBER: Mike Carr with Challenge  
21 Design Group. For the chairwoman, there is a lot of  
22 talk about -- in certain circles about a panel of  
23 scientists who look at government science, about  
24 carbon dioxide emissions, and things like that. In  
25 those conversations, what is the role contemplated for

1 CEQ?

2 MS. NEUMAYR: Well, I think I would just say  
3 that's a deliberative matter, and a matter in  
4 deliberation, and so I don't have anything to say  
5 other than, you know, as a part of the executive  
6 office of the president, we typically will participate  
7 in these interagency processes to consider potential  
8 actions. But I don't have anything specific to share.

9 MS. GELLICI: Mary, I'll take the last  
10 question, and thank you very much for being here.

11 So I learned a lot about CEQ, and I think  
12 our group did tonight. I wasn't familiar with that,  
13 so if you can just tell us, does CEQ interact with  
14 international agencies at all in terms of their  
15 operations and what they're doing on a day-to-day  
16 basis?

17 MS. NEUMAYR: Well, we do. It's not  
18 uncommon for us to have an opportunity to speak with  
19 other agencies, and when they visit Washington, we may  
20 have an opportunity to meet with them. So, yes, we do  
21 have some interactions.

22 MS. GELLICI: I think so much anymore is  
23 on -- you know, so much of the issues that we deal  
24 with are internationally important in terms of air  
25 quality and environmental aspects. So that would be

1 great.

2 MS. NEUMAYR: Yeah.

3 MS. GELLICI: But would you please join me  
4 in thanking Mary for her graciousness in being here?

5 (Applause.)

6 MS. GELLICI: Thank you so much, Mary.

7 MS. NEUMAYR: Thank you.

8 MR. WINBERG: Thank you, Mary. I was struck  
9 by how much this administration has done to create an  
10 environment where business can prosper, and people can  
11 work. And I'll tell you -- and this isn't in my  
12 printed remarks. But I will tell you that -- and,  
13 Mary, maybe you feel the same way sort of day-in and  
14 day-out. We kind of lose sight of everything that  
15 this administration has done, and there is more to do.  
16 But we can't do it by ourselves, and that's where you  
17 all come in.

18 So, thank you so much. We appreciate it.  
19 And again, I know how busy you are, so thank you for  
20 taking the time this evening.

21 Just another round of applause, please.

22 (Applause.)

23 MR. WINBERG: So out of that executive order  
24 that was signed yesterday, three of those  
25 responsibilities fall squarely on fossil energy, and I



1 have 180 days to get them finished, so the next six  
2 months is going to be very busy, and I'm starting to  
3 feel that already.

4 But before we wrap, I just want to go over a  
5 little business for tomorrow. We will convene  
6 tomorrow morning at 8:30 in Exhibit Hall B South? Is  
7 that correct? Okay. And so during the meeting, we'll  
8 start off with elections of the new chair and the vice  
9 chair, and then as I mentioned to you, Undersecretary  
10 Mezenes will deliver remarks, and then we'll hear  
11 several presentations, and we will adjourn on or about  
12 12:15.

13 So we have a pretty packed day tomorrow.  
14 Again, I thank you all for coming this evening. For  
15 those of you that are driving, please get home safely.  
16 We need you here tomorrow, and we need you here beyond  
17 that. So thank you very much.

18 (Applause.)

19 MR. WINBERG: We are adjourned.

20 (Whereupon, at 8:45 p.m., the meeting in the  
21 above-entitled matter adjourned, to reconvene at 8:30  
22 a.m. the following day, Friday, April 12, 2019.)

23 //

24 //

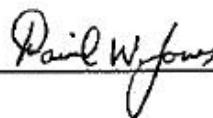
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REPORTER'S CERTIFICATE

DOCKET NO.: N/A  
CASE TITLE: National Coal Council Meeting  
HEARING DATE: April 11, 2019  
LOCATION: Washington, D.C.

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the United States Department of Energy, Office of Energy Efficiency & Renewable Energy.

Date: April 11, 2019



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