

**Select Committee on Energy Independence and Global  
Warming**

*“The Role of Coal in a New Energy Age”*

April 14, 2010

9:30 am

210 Cannon House Office Building

**Witness Questions for the record**

**Questions for all witnesses:**

- 1.) Do you believe China will adopt mandatory restrictions on greenhouse gas emissions?
- 2.) If the United States were to move away from using coal, do you believe that would lead to changes in the coal consumption habits of the developing world, specifically China and India?
- 3.) If the United States were to cap GHG emissions without similar commitments from developing countries, how much would this lower total worldwide GHG emission from burning coal?
- 4.) What foreseeable impacts will EPA's endangerment finding and pending regulation have on the domestic coal industry?
- 5.) If Congress were to pass a cap and tax scheme, do you believe all other federal laws, state laws, and EPA regulations should be pre-empted? Please explain why or why not.

### **Questions for Mr. Boyle - Peabody**

- 1.) If the United States were to cap emissions, would Peabody continue to mine American coal and export it to countries that do not have such caps in place?
- 2.) “Regulatory certainty” is often cited as a need for industry to make business and investment decisions. How have recent Obama regulatory actions, such as the revocation of a surface coal mine permit or using the Endangered Species Act to block the construction of coal-fired plants, shaped the coal industry’s “regulatory certainty?”
- 3.) How have frivolous lawsuits, specifically relating to opening new mines and building new coal-fired generation, affected Peabody’s ability to provide affordable access to energy?
- 4.) How long will it take for CCS to be competitive on a cost per kWh with current electricity prices?
- 5.) What are the most significant regulatory or legal challenges in the United States standing in the way of the development and deployment of CCS technology?
- 6.) How is uncertainty over carbon and climate legislation in the U.S. Congress affecting the build out of coal-fueled generation? How do we ensure the United States is planning enough baseload plants for future needs?

## Questions for Mr. Chiaro – Rio Tinto

- 1.) How many coal mines does Rio Tinto currently operate in the United States? For what reason did Rio Tinto divest itself of coal holdings in the United States? What percentage of your international revenue is generated from coal production in the United States?
- 2.) In your testimony, you say, “A failure to adopt comprehensive federal legislation will increase both risk and uncertainty for our industry.” How do recent Obama regulatory actions, such as the revocation of an already issued surface mine permit and using the Endangered Species Act to regulate the domestic coal industry, enhance industry “certainty?”
- 3.) In your testimony you state that the impacts of the Waxman-Markey cap and tax scheme will be negligible on the economy, yet the other witnesses have expressed concern over the cost if carbon offsets are not easily available. Do you believe the level of offsets permitted in Waxman-Markey will materialize and, if they do not, have you examined the impact on the price of carbon?
- 4.) Do you foresee accusations of unfair trade practices from our trade partners if the United States subsidizes specific industries during the implementation of a cap and tax scheme? Would Rio Tinto directly benefit from the subsidies put forth in the Inslee-Doyle provision of Waxman-Markey??
- 5.) How do you propose Congress “provide transitional support to our energy-intensive, trade exposed countries” without violating current trade laws with other nations?
- 6.) How would the increased price of coal in the United States shape Rio Tinto’s international coal holdings? How would a higher price for coal production in America influence your significant coal holdings in Canada and Australia?

**Questions for Mr. Leer – Arch**

- 1.) If the United States were to cap GHG emissions, would Arch continue to mine American coal and export it to countries that do not have such caps in place?

## Questions for Mike Carey – Ohio Coal

- 1.) “Regulatory certainty” is often cited as a need for industry to make business and investment decisions. How have recent Obama regulatory actions, such as the revocation of a surface coal mine permit or using the Endangered Species Act to block the construction of coal-fired plants, shaped the coal industry’s “regulatory certainty?”
- 2.) How will the coal areas of Ohio be affected by the Waxman-Markey cap and tax bill? Do you believe the bill will be a job creator or job killer in the Midwest? If your coal miners lose their jobs, is there a green job waiting in the wings?
- 3.) What is the average salary of Ohio coal workers? Is it fair to say jobs in the coal industry in Ohio are better paying than average jobs?
- 4.) How long does it take to permit a coal mine and what kind of challenges to these permits do we see?
- 5.) Can you briefly outline why the Ohio Coal Association opposes the Waxman-Markey bill?
- 6.) Chairman Markey said that the American Clean Energy and Security Act provides \$60 billion for carbon capture and sequestration. Is this statistic accurate? Can you explain where the funding for CCS goes and how the legislation is structured to promote CCS?
- 7.) In a brief mention of Climategate, Chairman Markey said that the British House of Lords exonerated the Climategate scientists and upheld the theory of anthropogenic global warming. Is this true? Can you please describe how other nations are investigating the science of global warming due to Climategate?
- 8.) Will climate legislation such was the ACES bill ensure the survival of coal as the Chairman and Congressman Inslee claimed?
- 9.) How are smaller coal mining companies affected by the Obama Administration’s new regulations? Can they cope as well as larger, publicly-traded companies?
- 10.) How do green jobs compare to existing coal mining jobs in Ohio?
- 11.) During the hearing, the Majority commented that too much in the ACES bill was given to coal companies and not enough to natural gas. Is this true? What are the bill’s implications on fuel-switching from coal to natural gas?

12.) Chairman Markey appeared critical towards Peabody Coal for challenging the EPA's Endangerment Finding. Do you believe the Endangerment Finding is on solid legal and scientific ground?