



CONCRETE PUMPING COMPANY, INC.

March 17, 2021

The Hon. Raul M. Grijalva of Arizona, Chairman
The Hon. Jesus Garcia of Illinois, Vice-Chairman
The Hon. Bruce Westerman of Arkansas, Ranking Member
The Hon. Alan Lowenthal of New York, Subcommittee on Energy and Mineral Resources, Chairman
U.S. House Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

RE: Legislative Hearing on H.R. 1734 Before the Subcommittee on Energy and Mineral Resources

Dear Representatives,

I am writing to provide my testimony in support of a 15-year extension on the collection of fees associated with the Surface Mine Control and Reclamation Act (SMCRA) of 1977. My intent is that my testimony can better highlight the economic benefits and support of small businesses that accrue because of the AML program. Furthermore, I would like to provide my experiences in remediating an especially damaging environmental hazard caused by legacy coal mining called mine subsidence.

By means of introduction, my name is Frank M. Howard III, and I'm the President of Howard Concrete Pumping Co., Inc, based in Houston Borough, Washington County, Pennsylvania. We are a small, family-owned business and specialty construction contractor, founded by my father, Frank M. Howard, Jr., in 1972. My father started business as a conventional concrete pump rental service for the construction industry, but in the mid-1980s, began participating in mine subsidence remediation projects when he noticed a desperate need for qualified expertise for this service in his home township.

Over the years, we have developed an expert reputation for quality and dependable mine remediation services, employing a team of engineers, professional geologists, and union tradesmen who are dedicated to the safe and timely completion of our projects. We pride ourselves on our ability to innovate new and better solutions to difficult mine problems.

Some of our notable achievements and projects include: in-situ stabilization of over 314,000 cubic yards of waste coal slurry impoundment in Washington County, Pennsylvania for the construction of the Mon-Fayette Expressway; extinguishing an actively burning coal mine in Preston County, West Virginia for the West Virginia Department of Environmental Protection's AML program; drilling and grouting an abandoned coal mine beneath a newer elementary school in Carbon County, Wyoming for the Wyoming Department of Environmental Quality's AML program; and drilling and grouting an abandoned coal mine beneath more than 400 homes in Washington County for the Pennsylvania Department of Environmental Protection's AML program. Over the past decade, we have successfully completed mine subsidence remediation for the AML program in the following states: Pennsylvania, Wyoming, West Virginia, Ohio, Illinois, Kentucky, and Indiana. Included in our portfolio of AML projects, are numerous schools, residential communities, and airports where the safety, security, and environmental impact on stakeholders are of the utmost concern. We pride ourselves on our ability to work efficiently and with minimal inconvenience to our stakeholder communities.

Personally, I've worked on mine remediation projects for what will be 20 years this June, and I can attest to the fact that the AML program has been a significant source of growth and prosperity for our Company, for our employees, and the communities in which we have worked. I believe the following points are essential in considering support for this invaluable legislation:

1. Environmental clean-up and especially mine subsidence remediation
2. Job Creation
3. Economic Investment
4. Protecting home ownership and promoting public safety

ENVIRONMENTAL CLEAN-UP.

My particular experience deals primarily with mine subsidence and the remediation thereof. Mine subsidence is the movement of ground, both surface and subsurface, caused by the collapse of abandoned room and pillar mines. Room and pillar mining was the predominant means of extracting coal in deep mines for centuries. Essentially, miners would extract coal, known as rooms, leaving pillars to provide support for the ground above. Unfortunately, and for a variety of reasons, these coal pillars that have been left in-place will fail with the passage of time, causing the ground above to subside or collapse into the subsurface voids. The damage caused by these "subsidence events" can be severe and sudden.

Entire regions and communities across the United States are undermined by these abandoned, legacy room-and-pillar mines. In parts of western Pennsylvania, it can be difficult to find land that is not undermined. Both my personal home and our Company's office are undermined with room-and-pillar coal mines. Subsidence events strike without warning and the effects can be catastrophic.

Our work in remediating this type of environmental hazard involves drilling injection boreholes from the surface into the abandoned mines and then manufacturing and injecting concrete or grout into the mine workings to provide additional ground support. This work involves specialty construction expertise and,

because of the vast and pervasive nature of the hazard, can be a costly undertaking. Without the AML funding, this environmental hazard will not be remedied. The cost of these remediation programs is often prohibitive for conventional real estate developers, or these hazards exist in communities developed many decades ago and lacking economic incentive for redevelopment. Thus, entire communities and regions lack the capital needed to remediate these problems for future generations.

JOB CREATION.

The growth of our family business over the years is largely due to the AML program, and its efforts to remediate the past sins of the mining industry. We started as a one-person business, but we now have over 100 employees and invest multi-millions of dollars every year in specialty heavy equipment. In some years, as much as 50% of our annual gross and 50% of our workforce can be attributed to the AML program. Our employees include professional engineers, professional geologists, and specialty union tradesmen. These career opportunities have provided steady employment with salaries and wages far above industry standards that cannot be outsourced to foreign countries with cheap labor and few, if any, environmental protections. We have numerous team members that have reached their 20-year anniversary in working with us, nearly exclusively while completing AML projects. We even have team members who have reached their 30- or 40-year anniversaries. It is with no small bit of pride that I can say we have several families, besides ourselves, that have found career opportunities at our Company worthwhile for 2nd and even 3rd generations. I'm immensely thankful for our team, for the opportunities available to them, and for the AML program in providing meaningful and consequential projects for which we can all work.

Our business is not alone in serving the AML programs. In completing AML projects, we will use a multitude of vendors – subcontractors, such as test drilling companies, trucking companies, cement suppliers, quarries and other aggregate suppliers, ready-mix concrete companies, fuel suppliers, automotive and industrial parts providers, engineers and other professional consultants, legal counsel, material laboratories, and more. Additionally, our team members, when working away from home, provide a significant economic boost to the local hotels and restaurants. Our partner businesses have always valued the economic opportunities provided by the AML Program, but, more recently, with the severe contraction in the coal industry, the AML Program has become essential for their businesses' survival. I estimate that for every job created at our Company by the AML program as many as 10 other jobs are created or supported also.

Finally, we also are one of the largest beneficial users of fly ash from coal combustion. This waste product from coal combustion can be used for many beneficial purposes, but unfortunately, is often sent to landfills. We can use large concentrations of this waste material in our concrete and grout mixes, which chemically solidifies it and saves it from landfills, an environmental and economic "bonus" to public utilities.

ECONOMIC INVESTMENT.

Our capital investments for equipment dedicated to the AML program averages approximately \$2.5 million annually. This includes specialty equipment like drill rigs, concrete pumps, batch plants, front-end loaders, specialty mine cameras, and more. This equipment is American made, often by small manufacturers. From a business owner's perspective, these substantial capital investments require funding certainty.

PROTECTING HOME OWNERSHIP AND PUBLIC SAFETY.

The AML funds, in many ways, support the American dream of home ownership and promote public safety. As I've previously discussed, mine subsidence can be an especially sudden and catastrophic event in which the collapse of old, subsurface mines can cause significant earth movements at the surface. Millions of homes, churches, schools, and hospitals across the United States are built on top of these old mines, and property owners are often unaware of this fact until it is too late. Homeowners can be awakened in the middle of the night to find a major portion of their home collapsed into a subsurface void. In some situations, homeowners cannot exit the property without the assistance of emergency personnel. The damage can be so severe that they are required to vacate, and their homes are condemned, representing a complete loss of their most significant, lifetime investment. In my professional experience, I have seen the AML funds administered to prevent mine subsidence through drilling/grouting for homes, churches, schools, and hospitals, promoting safer communities and increasing property values.

THE DEADLINE IS FAST APPROACHING.

On behalf of everyone at our Company and the countless other small businesses that participate in the AML Program, I would like to thank you for allowing me the opportunity to provide written testimony. The passage of H.R. 1734 is vital for the economic prosperity and environmental remediation of regions devastated by legacy coal mining. Chiefly, the continuation of current fee levels for 15 years will provide the funding certainty necessary for sustained economic investment and job creation from the business community.


In Pennsylvania, where the scars of mining are especially severe and pervasive, there is a prime example of how detrimental these hazards can be. Located in the eastern part of the state, Centralia is an entire community that has been condemned and abandoned for decades because of an actively-burning mine. Please consider the immeasurable damage done over the past decades with no tax base, no economic growth, and no hope for future generations to own homes and raise families. It is unthinkable to me that in the United State of America there are entire communities which could be left as barren, wastelands.

The estimated cost to remediate these abandoned coal mines now exceeds \$11.4B. A figure, which I believe, underestimates both the true magnitude of the problem and the economic stimulus that would

result from complete remediation. This endeavor will need Federal support, and the benefits of the AML funding, which include: environmental remediation and clean-up, promotion of small businesses, creation of middle-class jobs, investment in American manufacturers, protecting the American dream of home ownership, and increasing public safety, are causes worthy of support by all political affiliations. If I can answer any questions regarding my experiences with the AML funds and remediating abandoned mines, please feel free to contact me at your convenience.

Very truly yours,

HOWARD CONCRETE PUMPING CO., INC.



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President

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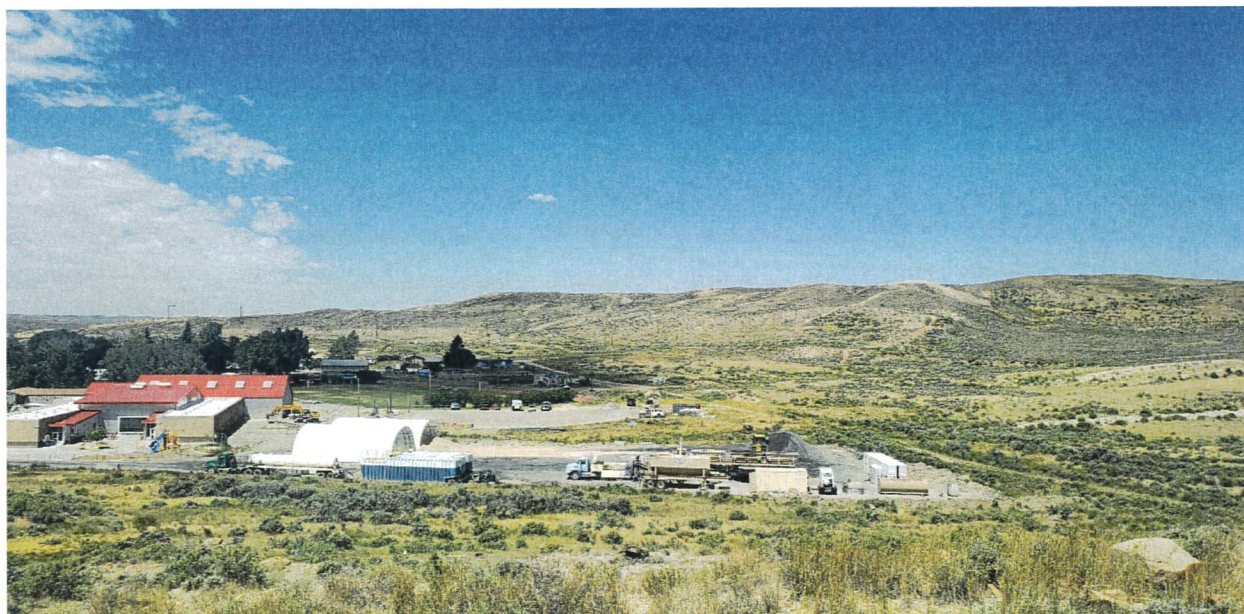


Photo 1. Howard Concrete Pumping Co., Inc. performing mine subsidence remediation at a school in Hanna, Carbon County, Wyoming, while working for the Wyoming Department of Environmental Quality.

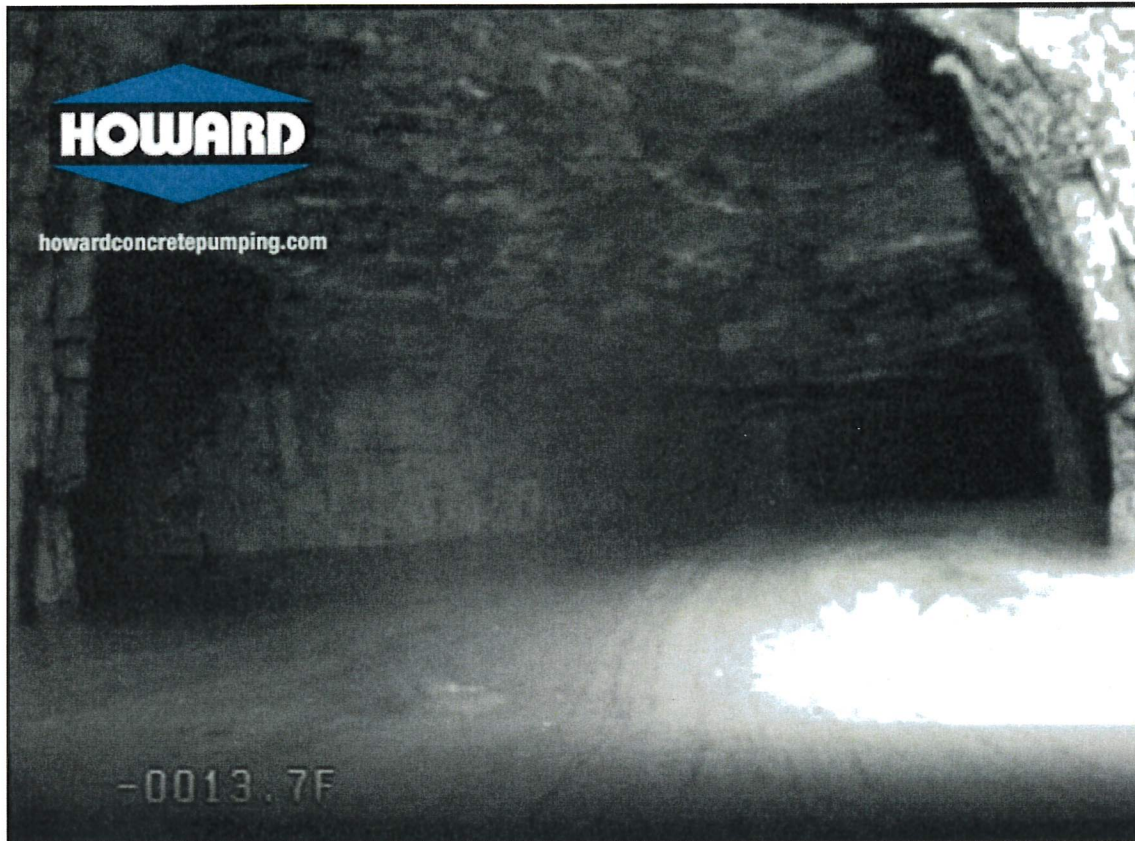


Photo 2. Grout injection into an abandoned coal mine at the community of Bradenville, Westmoreland County, Pennsylvania for the Pennsylvania Department of Environmental Protection.