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## **EXPERIENCE**

Mining, Safety and Management Consultant 1/2015 - Present  
The enterprise provides expertise in the areas of mining, mine planning, engineering, health and safety issues, financial analysis and litigation support. From June 2022 - December 2022 I supervised engineer and technicians performing environmental and engineering assignments with a primary focus on engineering design, regulatory permitting, regulatory environmental compliance, endangered species identification. The clients were involved in mining, construction, commercial construction and highway/ interchange design. I have completed a project for an international mining and steel manufacturing firm. The project report included the engineering analysis of six mining areas and determination of regulatory impact upon the reserve base. Another project involved the evaluation of engineering design for a mine refuse area. As an expert I provided a report & court testimony resulting in a favorable decision for the client. I have provided reports & opinions concerning MSHA citations and orders impacting the viability of coal mining. One project included MSHA impact during a mine fire and viability of the mining operation. The report determined the cause, possible solutions and cause including failures of the mine operators. I performed market analysis for a small producer of mid-vol coal. I have advised two clients in regulatory policy concerning two fatal mining accidents.

Rhino Eastern LLC 8/2011 - 12/2014  
I was Vice President of the mining unit with responsibility for the operational activity of the joint venture between Rhino Energy and Patriot Coal. In a declining sales market, I was successful in reducing mining cost and improving the safety and environmental performance of the division.

U S Department of Labor 10/2004 - 8/2011  
Mine Safety and Health Administration

District Manager, MSHA Coal District 8  
As District Manager I was responsible for administrative, technical and enforcement activities in MSHA Coal District 8. I directed, organized, and evaluated the effectiveness of the district mine safety and health program and served as technical advisor to the mining operations, state agencies and miners in matters pertaining to mining laws and regulations. I established an

accountability program for the Technical Group. The positive results were in the reduction of the time required for plan review and improvement in the quality of plans being approved. I communicated the district activities to Indiana and Illinois congressmen. Also, my duties included directing health and safety audits and inspections at surface and underground mines, approval of all plans required by the 1977 Mine Act, emergency response and MERD/crisis communication activities.

#### Assistant District Manager – Enforcement MSHA District 3

As the Assistant District Manager, I directed, organized and evaluated the effectiveness of the inspection program throughout MSHA District 3. I monitored the level of performance for the group and took corrective action for variances. I provided advice and expertise on safety and health issues to the District Manager. I developed the budget for the inspection group. Overtime was reduced by 80%. I served as a mentor in the Leadership Development Program. I participated in the Holmes Safety Association and made presentations to stakeholders. I remained involved in mine rescue activities and served as an advisor to Mine Rescue Post No. 3 and as a judge in the National Mine Rescue Contest. I was the graduation speaker for CMI Group 73.

#### Ventilation Supervisor – MSHA District 5

As the Supervisory Coal Mine Health & Safety Specialist - Ventilation I was responsible for the supervision of the ventilation department. This included the review and recommendation for approval of the ventilation plans and addendums submitted by the mine operators. To address the problem of excessive time required for processing ventilation plans I developed a procedure to reduce the length of time required to process the ventilation plans, addendums, and six month reviews by the ventilations specialist. I was involved with stakeholder meetings to discuss issues relating to 30CFR Part 75 Subpart C Ventilation. I continued as the Mine Safety and Health Administration District 5 coordinator for mine rescue activities.

#### Roof Control Supervisor – MSHA District 5

As Supervisory Coal Mine Safety and Health Specialist - Roof Control, I was responsible for the supervision of the roof control department, impoundment group and District 5 coordinator for mine rescue. I directed the roof control specialist inspection program throughout the District, and ensured that all mandatory safety and health inspections, six month reviews, monthly visits to the retreat mining sections, accident investigations, investigation of unintentional roof falls were conducted. I was responsible for the review, evaluation and recommendation for approval mining plans involving operations with previously mined seams above and below active mines. I established the utilization of electronic roof control plans for the district. I developed a budget

for the roof control department. I organized and conducted the Governor's Cup and VMI mine rescue contests. I coordinated the District 5 employees as judges in six mine rescue contests conducted by other MSHA Districts. In conjunction with the Virginia DMME I planned and conducted the April 22, 2008 MERD for all District 5 supervisors and DMME employees. I developed the course material and made oral presentations at two stakeholder meetings on Ground Control and Pillar Stability. I utilized my technical knowledge and expertise in collaboration with MSHA Tech Support on the Buchanan Mine Longwall plan. The plan included the recovery of the mine after a bump/ignition, gob explosion and the development of a future mining plan for the longwall district. I completed the Department of Labor, Mine Safety & Health, Leadership Development Program. The purpose of the program is to develop future leaders with the competencies, knowledge, skills, and abilities to lead the organization.

#### Ventilation Specialist MSHA District 2

As a ventilation specialist, I served as a technical expert in ventilation related subjects for MSHA including inspection, investigations, review of plans. I used my knowledge as a Professional Engineer to identify and solve technical issues or problems. I made recommendations on these matters to my supervisor or the District Manager. I communicated the results of my reviews and inspections both orally and in writing to management of MSHA, Pa. DEP (state), mine management and union officials. I conducted meetings and reviews with mine management and labor officials to resolve ventilation problems and find solutions to compliance issues.

#### Coal Mine Inspector MSHA District 2

As a Coal Mine Safety and Health Inspector, I provided compliance assistance to miners and mine management by evaluating the root cause of violations. I conducted safety meetings and other training and education meetings with miners and mine management. In my duties as an inspector I have conducted investigations of accidents, and inspections of underground coal mines, preparation plants, surface mines, repair shops and surface areas of underground mines.

Coal Tech LLC & Looney Creek  
Development Corporation  
Beckley, WV

5/2002 - 10/2004

I was Chairman of the Board of Directors and Chief Executive Officer of Coal Tech LLC and Looney Creek Development Corporation. The firm performed consulting services to the mining industry. The clients produce coal, salt and aggregates. For a major coal project I lead the group in preparation of a feasibility study and I presented the plan to the owner and financial institutions. I was

commissioned to prepare and implement mine plans, budgets and market analysis.

Wyoming Pocahontas Land Co.  
Beckley, WV

5/1991 - 5/2002

I was President of Wyoming Pocahontas Land Company. I was employed to activate an idle property containing 30,000 acres. This included recruiting employees, strategic planning, asset management, budget preparation, and developing human resource strategies. I established and staffed the maintenance, mining, preparation plant and purchasing departments. The mining department included a surface and four deep mines. Among the most challenging issues facing Wyoming Pocahontas Land Co. was maintaining effective employee performance levels with limited financial resources resulting from a declining market for metallurgical coal and cash requirements for other units of Quaker Holding Company. From 1996 to 2001 the metallurgical coal market experienced both a decline in sales price and customers. I was able to motivate all employees in this depressed market by setting expected levels of performance and establishing an employee reward system based on safety and productivity. An example of a creative approach to setting standards was the quality control program I established to monitor the storage and shipment of coal. This system resulted in an additional \$300,000 in revenue during 2001. The failure of the Russian lignite venture, loss of the Russian gold and copper concession, the cash requirements (negative cash flow) of the oil and gas and airline units resulted in excess of \$50,000,000 being removed from the domestic coal unit during a six year period. This cash drain required me to develop and enhance alliances with other units of Quaker Holding Co. and for us to work as a group or team to organize and prioritize corporate activities. Our efforts did not overcome the speculative nature of the owner. I chose to form a consulting firm.

Energy Resources  
St. Clairsville, Ohio

5/1991 - 5/1992

I was employed to identify and acquire a West Virginia mining property with the capacity to produce 2,000,000 tons per year of steam coal. I identified a property owned by Sun Coal and the negotiations resulted in a \$12,000,000 acquisition. A difficult aspect of the process was to ensure memoranda and other documents represented the position of Energy Resources and the lending group - Prudential. I left to accept the challenge of the Wyoming Pocahontas Land Co. property.

A T Massey Coal Company  
Richmond, Virginia

4/1982 - 5/1992

During 1991 I was Vice President of Engineering for a mining venture in Venezuela. The project was the development of a surface mine and loading

facility located in the Gulf of Mexico. The project required the coordination with the government of Venezuela and international entities. E. Morgan Massey retired as President of A. T. Massey Coal Co. and the project was cancelled.

From 1987 to 1991 I was President of Omar Mining Company. Omar Mining Company had five deep mines and one surface mine. I established a safety department and mine rescue team. Utilizing the mission statement and strategic vision provided by A. T. Massey Coal Co. I developed a human resource strategy to improve performance. This program provided rewards based on achievement of company goals. Employees were held accountable for performance goals. The program courses included people skills, Title 30 CFR, accident prevention, safety issues, production planning and general management skills. Production increased from 700,000 clean tons per year to 1.1 million clean tons per year. Omar generated \$8,000,000 per year in EBITDA. The departments reporting directly to me were mining, preparation, safety, human resources, engineering, accounting and purchasing. In 1989 I received the A. T. Massey Community Excellence Award. In 1989 and 1990 I taught two senior level college courses at Concord College.

1985 to 1987 I was Manager of Development and my duties were to develop and integrate short and long term business plans for new mining operations and to identify properties for acquisition. Two mining properties were acquired.

1983 to 1985 I was President of Vesta Mining Company. This was a large below drainage mine with five continuous mining sections and one longwall mining unit. I was responsible for the mining operations, strategic planning, budget preparation and profit maximization. Cost was reduced by 50%. This was accomplished by improvements in mining cycles and preventive maintenance. The departments reporting to me were mining, preparation, safety, human resources, engineering and accounting. I started a mine rescue team and developed a safety program to reduce accidents and agency violations.

1982 to 1983 I was Vice President and General Manager for the Vesta Mine. The mine had 900 employees and production was achieved by a longwall and five continuous miner units.

National Mines Corporation

11/1976 – 4/1982

From 1981 to 1982 I was General Manager of the Pennsylvania Division. I was responsible for the activities of a five continuous miner unit mine and preparation plant.

I was Corporate Safety Director from 1978 to 1981. I was responsible for the safety and health programs for four mining divisions located in four states. The safety responsibility included eight deep mines, one surface mine and 1,500 employees. I developed a safety program, implemented a safety policy, and developed a mine disaster plan. I improved the safety training programs and started a program for weekly safety meetings. JSA and other tools were developed to educate the employees and supervisors. The program results reduced accidents and agency violations by 50%. I improved mine rescue training and the teams won three National and eight state championships. I introduced a supervisor training plan and skill improvement training for mine electricians. I served on Vice President George Bush Regulatory Reform Task Force - Roof Control Regulations, American Mining Congress Representative. I served on the Advisory and Planning Committee for the 12th, 13th, 14th, 15th and 16th Annual Institute on Coal Mining Health, Safety and Research. I was session Co-Chairman for the 12th Annual Institute on Coal Mining, Health, Safety and Research. In 1980 and 1981 I served on the Mine Health and Safety Committee for the Kentucky Coal Association.

I was Corporate Safety Engineer from 1976 to 1978. I developed mine plans in the following area: ventilation control, air shafts, methane and dust control, roof control. and surface mine plans. I developed and implemented mine plans for the control of roof conditions for seven deep mines in three states. These included diverse roof strata and many specific issues related to mine development, topographic and geologic issues.

U S Steel Corporation  
Lynch, Kentucky

10/1972 - 11/1976

From 1973 to 1976 I was an Assistant Mine Foreman. I supervised an underground production crew. I was a mine rescue team member and the team performed rescue and recovery duties during the Scotia Mine Explosion.

From 1972 to 1973 I was employed as a mining engineer. I developed mine plans, forecast and performed ventilation surveys. I was a member of the mine rescue team.

International Harvester Company  
Benham, Kentucky

5/1971 - 10/1972

I was a mining engineer performing duties for two deep mines and a contract auger mine.

## Licensures, Certifications, Certificates, Education, Awards and Industry Service

### Professional Licensure

Licensure Professional Mining Engineer, Commonwealth of Kentucky,  
State Board of Licensure for Professional Engineer and Land Surveyors,  
Certificate Number 11,120, Branch – Mining  
Licensure Professional Mining Engineer, State of West Virginia, West Virginia  
State Board of Registration for Professional Engineers  
Registration Number 25540.  
Licensure as a Professional Engineer, Commonwealth of Virginia, Board for  
Architects, Professional Engineers, Land Surveyors, License number 0402065602.

### Education

California University of Pennsylvania, California, Pa. MS,  
Transylvania University, Lexington, Ky. BA,  
University of Kentucky, BS  
Marshall University, Huntington, WV MS, Safety 6 hours remaining

### Education and Professional Development

Professional Engineer Professional Development Continuing Education, 36 professional  
development credits per biannual cycle

U S Department of Labor Leadership Development Program 2008

Penn State University, State College Pennsylvania, Fundamentals of Strata  
Control in Mines 1984

West Virginia University, Morgantown, West Virginia, Coalbed Methane  
Reservoir Engineering, October 2002

Virginia Polytechnic Institute and State College, Blacksburg, Virginia,  
Community Improvement and Leadership, February – April 1988

National Steel Corporation, Management Training Course, 1979

United States Steel Corporation, Management Training Course, 1973 and 1974

United States Steel Corporation, Accident Prevention Course 1974

Kepner Tregor, Decision Analysis Course 1978

### Awards and Recognition

Three U S Department of Labor, Secretary of Labor Honor Awards for Buchanan Mine Recovery, Emergency Response and Rescue – Upper Big Branch, Emergency Response Plan task force

U S Department of Labor, Mine Safety and Health Administration, 1998 Certificate of Achievement in Safety for 63,155 employee hours worked without a lost day injury at the Skin Popular Strip Mine

Commonwealth of Kentucky, Certificate of Appreciation for Participation in Rescue and Recovery at the Scotia Mine Disaster – 1976  
United States Department of Interior, Mine Enforcement Safety Administration,

Letter of Appreciation for Professional Competency during the Scotia Mine Disaster dated May 14, 1976

1989 Community Excellence Award presented by A. T. Massey Coal Company, Inc.

30 year membership Certificate from the Society of Mining Engineers

### Industry Service

Served on Vice President George Bush Regulatory Reform Task Group – Roof Control Regulations, American Mining Congress Representative

Session Co-Chairman during the 12th Annual Institute on Coal Mining, Health, Safety and Research, Blacksburg, Virginia August 24-26, 1982

Served on the Advisory and Planning Committee for the 12th, 13th, 14th, 15th, and 16th Annual institute on Coal Mining, Health, Safety and Research

Served on the Mine Health and Safety Committee, Kentucky Coal Association 1980 and 1981

Post Number 2, National Mine Rescue Association, 1st Vice President

### Professional Memberships

National Society of Professional Engineers

West Virginia Society of Professional Engineers

Kentucky Society of Professional Engineers

Society of Mining Engineers

Central Appalachian Section, Society of Mining Engineers

West Virginia Mining Institute



Post No. 2 National Mine Rescue Association  
Kentucky Coal Association  
Kentucky Mining Institute  
Pittsburgh Mining Institute  
Gas Technology Institute  
Illinois Mining Institute

Certification

Mine Foreman Certificate, Certificate Number A-31-77, Commonwealth of Kentucky, Department of Mines and Minerals

Department of Labor, Mine Safety and Health Administration –  
MSHA Certification as an Authorized Representative of the Secretary of Labor

Certified Instructor

Certificate of Mine Rescue Training  
Surface Certification  
Certification in (gas) detection devices  
Certificate in First Aid Methods – Bureau of Mines and MSHA  
Certified in Dust and Noise MESA and MSHA

Commonwealth of Kentucky, Department of Mines and Minerals  
Underground Miner Card – Number 0391839  
Electrical Card – Underground and Surface High and Low voltage  
(expired)