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MINE Update

MINING INDUSTRY NEWS E-COMM UPDATE

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This Week in The News

Capitol Hill was buzzing with budget reconciliation activities, cabinet confirmation hearings, and the commencement of a Senate impeachment trial of former President Donald Trump. With the clock ticking on the first 100 days of President Joe Biden's administration, executive branch agencies began digging in on their regulatory agendas. The National Mining Association (NMA) remains focused on actively engaging to advance mining's interests at both ends of Pennsylvania Avenue. Plus we have updates on how the mining and energy markets are faring.

Safety Share

With much of the United States settling into a polar vortex this week, National Weather Service has safety tips for [extreme cold weather](#).

Congressman Bruce Westerman Speaks to NMA's Government Affairs Committee



This morning, Congressman Bruce Westerman (R-Ark.), [the new ranking member of the House Natural Resources Committee](#), spoke to the NMA's Government Affairs Committee outlining his priorities for his new leadership role and the importance of hardrock and coal mining priorities in his agenda. Westerman began his new role this Congress after the retirement of former Ranking Member Rob Bishop (R-Utah). Ranking Member Westerman brought key members of his new committee staff including staff director Vivian Moeglein and Energy and Minerals Subcommittee staff director Ashley Nichols to speak to our members. He also took the opportunity to announce the new subcommittee ranking members. Congressman Don Young (R-Alaska) will remain ranking member of the Subcommittee for Indigenous Peoples. Congressman Pete Stauber (R-Minn.) will be the new ranking member of the Subcommittee on Energy and Mineral Resources. Congressman Russ Fulcher (R-Idaho) will be the new ranking member of the Subcommittee on National Parks, Forests, And Public Lands. Congressman Paul Gosar (R-Ariz.) will be the new ranking member on the Subcommittee on Oversight and

Investigations. The NMA is looking forward to working with Ranking Member Westerman in his new role.

Updated House Committee Assignments

House Democrats and Republicans are continuing to fill committee seats for several congressional panels of interest to the mining industry for the 117th Congress. At an organizing meeting on Monday, the House Education and Labor Committee [announced](#) its subcommittee leadership. As a reminder, the Subcommittee on Workforce Protections has primary jurisdiction over the Mine Safety and Health Administration. It will be chaired by Rep. Alma Adams (D-N.C.) with Fred Keller (R-Penn.) serving as Ranking Member. To see the full committee roster and subcommittee membership, click [here](#). Additional House and Senate committee assignments will be announced in the coming weeks.

House Climate Hearing

In a Tuesday [hearing](#) before the House Energy and Commerce Committee, Chairman Frank Pallone (D-N.J.) called for the House to act quickly to pass climate legislation to rein in U.S. greenhouse gas emissions. Chairman Pallone said that President Biden's recent executive orders on climate only solved part of the problem and that Congress must take swift action to get the U.S. to net zero emissions by mid-century to avoid the worst consequences of climate change.

In January 2020, the Committee released [draft legislative text](#) along with a [section-by-section summary](#) of the “Climate Leadership and Environmental Action for our Nation’s Future Act” or the “CLEAN Future Act.” Among the components, the bill includes a Clean Electricity Standard requiring all retail electricity suppliers to obtain 100 percent of their electricity from clean energy sources by 2050. Environment and Climate Change Ranking Member David McKinley (R-W.Va.) responded that any solutions to climate change should

be pursued through “consensus and bipartisan policies that accelerate innovation, ensure affordable reliable energy, and enable our American communities and families to thrive,” rather than through executive orders.

Full committee Ranking Member Cathy McMorris Rodgers (R-Wash.) called for a new era of innovation in America, including carbon capture utilization and storage (CCUS) technologies. Several witnesses shared their support for CCUS. Anna Fendley, Director of Regulatory and State Policy for the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW) [testified](#) that CCUS “is key in reaching our climate goals, particularly for the industrial sector where the technology is almost nonexistent in this country.”

Biden Administration Continues Review of Regulatory Actions

The new administration continues its systematic review of actions taken by its predecessor. The Biden administration has begun acting on items identified in its initial list of [environmental policy actions](#) for review and beyond. This week, the U.S. Fish and Wildlife Service (FWS) published a [notice](#) delaying until March 8, 2021, the effective date of its final [rule](#) regarding the “take” of migratory birds under the Migratory Bird Treaty Act (MBTA). Simultaneously, FWS has opened a 20-day comment period on whether that rule should be amended, rescinded, delayed pending further review by the agency, or allowed to go into effect. Also this week, the Division of Coal Mine Workers’ Compensation (the DCMWC) withdrew its proposed [Notice](#) requesting public comment on the Black Lung Benefits Act Bulletin No. 21-01 (the Bulletin) to allow the new administration further review. Recall the Bulletin is intended to provide guidance on the process used to determine security amounts for coal operators applying for or renewing self-insurance for black lung liabilities.

Nomination Hearings



Following last week's nomination [hearing](#) for former Michigan Gov. Jennifer Granholm (D) to serve as Secretary of the Department of Energy, the Senate Energy and Natural Resources Committee (ENR) favorably reported out the nomination by a bipartisan vote of 13 - 4. Gov. Granholm answered questions relevant to mining that echoed her supportive stance for critical minerals development to ensure U.S. job, energy, and supply chain security. She also acknowledged the need for the future use of oil, gas and coal production in the U.S while emphasizing the desire to develop carbon capture and storage technology to reach net-zero emissions by 2050. Full Senate consideration of her nomination has not been scheduled at this time. Please find links to the NMA's hearing [memo](#) and to additional [Questions for the Record](#) (QFR's) submitted by Senators, which were answered by the nominee after the hearing.

Senate Environment and Public Works Committee held a markup on Tuesday where Members voted 14-6 to nominate Michael Regan, Secretary of the North Carolina Department of Environmental Quality, for U.S. Environmental Protection Agency administrator. Following last week's nomination [hearing](#) where Regan answered questions regarding concerns of coal mining job losses from President Biden's climate plan, the energy transition and more, Senators from both parties submitted nearly 300 additional QFR's which Regan responded to this week. The NMA compiled the questions and his responses [here](#). Full Senate consideration of his nomination has not been scheduled at this time.

Reconciliation Bill Mark Ups

This week, nine House Committees are marking up their detailed bills to comply with the budget resolution the House passed last Friday. The House Ways and Means Committee has [announced](#) that, starting today, it will mark up a set of nine COVID-related proposals pursuant to its reconciliation instructions under the fiscal year 2021 budget resolution ([S. Con. Res. 5](#)), which was adopted by the House and Senate last week. We do not anticipate issues related to the mining sector to be addressed in this mark up. Other committees holding markups include Education and Labor and Energy and Commerce. All bills are directly related to developing COVID relief related legislation targeting new individual payments, federal unemployment insurance, state and local government funding, vaccine and distribution funding, reopening schools, food assistance, rent assistance, childcare, and small business funding.

NMA and Third-Party Voices

The Washington Examiner featured an interview with the NMA's Rich Nolan as [the lead story in today's Examiner Energy Daily](#). The piece focuses on the NMA's work to engage with President Biden's team on ways to support domestic critical minerals development.

[RealClearEnergy](#) (DC) featured an op-ed by the NMA's Rich Nolan in which he argues that mining policy is energy policy, and the Biden administration must support domestic supply chains, all the way through mining.

[Washington Times](#) (DC) carried an op-ed by Michael Stumo, CEO of the Coalition for a Prosperous America, in which he argues that critical minerals for emerging industries such as the electric vehicle industry should be mined here in the U.S.

[Central Penn Business Journal](#) (PA) and [Lehigh Valley Business Journal](#) (PA) carried

an op-ed by Matthew Kandrach, president of Consumer Action for a Strong Economy, in which he argues that a priority must be placed on providing affordable energy, not in transitioning away from a balanced grid.

The NMA this week launched a weeklong advertising campaign sponsorship of Axios' *Generate*, a daily newsletter on trends, politics, and business issues in the energy and mining sectors. The theme of the campaign positions mining as key to our economic recovery and [clicks through to resources](#) on how essential mining is to every aspect of American life.

Mining and Energy News

Quartz profiled efforts to increase [rare earth metals](#) mining in the United States.

Globe and Mail described [mining company actions](#) to address environmental, social and governance issues.

[S&P Global reported](#) that Piedmont Lithium CEO Keith Phillips said that “lithium supply will struggle to keep up with booming electric vehicle demand in the U.S. and abroad over the next few years, and steps will need to be taken to incentivize additional production and exploration of the battery metal.”

[Mining.com](#) and [Forbes](#) reported on the recent U.S. Geological Survey Mineral Commodity Summaries [report](#) indicating that U.S. mines produced approximately \$82.3 billion in minerals in 2020— about \$1.5 billion lower than the 2019 revised total of \$83.7 billion.

[Bloomberg reported](#) that surging prices of the precious metals threaten to boost costs for solar-panel producers that use a silver paste for electrical contacts on solar photovoltaic equipment.

[Argus Media reported](#) that coal-based generation in the Midcontinental Independent

System Operator power region surged 36 percent in January from the previous year as natural gas power fell sharply.

Argus Media (2/1/21, subscription) reported that PJM Interconnect, the country's largest grid region, saw coal generation increase 33 percent in January 2021 due to higher natural gas prices and stronger power demand.

[Argus Media reported](#) that U.S. coal exports had their first gain in many months with December exports up 7.8 percent over December 2019 to a little more than 7 million short tons.

[Grist](#) reports on how coal may be replaced in the steel making process.

U.S. Energy Information Administration's [Annual Energy Outlook](#) concluded it will likely take years to return to 2019 levels of energy consumption and carbon dioxide emissions following the impact of COVID-19.



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