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MINE Update
MINING INDUSTRY NEWS E-COMM UPDATE

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Brought to you by the National Mining Association

This Week in The News

President Biden and a bipartisan group of U.S. senators announced agreement on a broad outline of a \$1.2 trillion infrastructure package, only to see the debate instantly swirl into controversy over which additional measures may or may not be needed to ensure passage and enactment. The only certainty? It's going to be a long summer in Washington, D.C. The National Mining Association (NMA) will be there – focused on actively engaging to advance mining's interests at both ends of Pennsylvania Avenue. Plus, we have updates on how mining and energy markets are faring.

Safety Share

No doubt you've noticed that it's road construction season out there. [Road construction accidents](#) increased during the COVID-19 pandemic. It's time to slow down in work zones.

House Moving Infrastructure Legislation this Week



This week, the House of Representatives is considering Transportation and Infrastructure Committee Chairman Peter DeFazio's (D-Ore.) INVEST in America Act ([H.R. 3684](#)), which passed out of committee by a slim bipartisan vote on June 22. More than 320 [amendments](#) were filed to the bill, including several in support of domestically-produced minerals supply chains. These include: [Amdt. 97](#) (Rep. Smith, R-Mo.) to prevent projects from increasing U.S. reliance for cobalt, lithium, manganese, graphite, and nickel from countries including China, the Congo and Russia; [Amdt. 130](#) (Rep. Burgess, R-Texas) to affirm no minerals used in transportation projects were produced using forced labor; and [Amdt. 259](#) (Rep. Stauber, R-Minn.) to ensure that none of the projects funded by this act

use minerals sourced with child slave labor and improves domestic mineral supply chains. These amendments, and 44 others, were not made in order during consideration by the House Committee on Rules. The House is expected to finish consideration and pass H.R. 3684 later this week.

Last week, President Biden and a bipartisan group of senators reached agreement on a framework for the infrastructure package. The White House has reassured congressional negotiators of its support for the agreement issuing further public information on the [terms of the agreement](#). Key White House officials have also issued [public information on additional goals](#) the President is seeking in legislation presumably through the reconciliation process. In the meantime, both chambers of Congress continue to move forward on their own legislation, including most recently a bipartisan [Surface Transportation Reauthorization Act of 2021](#) that was favorably reported out of the Senate Environment and Public Works Committee. There are still a significant number of issues to be worked through before any agreements on infrastructure are to move forward in a substantive way. The NMA will continue to track developments related to the different infrastructure proposals and provide relevant updates.

Montana and Wyoming v. Washington — Supreme Court Update

On June 28, the Supreme Court of the United States denied Montana and Wyoming's petition for review of their coal export case. Recall that Washington State denied a Clean Water Act Section 401 water quality certification for the Millennium Bulk Terminal coal export facility, not based on water quality, but because state officials politically objected to the use of coal. Montana and Wyoming challenged the denial and asserted that Washington's action improperly restrained their ability to engage in legitimate economic activity. The NMA previously filed a brief in support of Montana and Wyoming, urging the Court to consider the broader constitutional implications of coastal states imposing de facto trade and foreign policy edicts that, under the constitution, are left to the federal government.

CEQ Revises Deadline for Agencies to Update NEPA Procedures

On June 29, the Council for Environmental Quality (CEQ) issued an [interim rule](#), that extended the deadline by two years for federal agencies to develop or revise their proposed procedures for implementing the procedural provisions of the final National Environmental Policy Act (NEPA) reforms undertaken by the Trump administration. This development was not unexpected as the Biden administration previously indicated it would reconsider the 2020 NEPA reforms and [included](#) the interim rule in the Spring Unified Regulatory Agenda earlier this month.

PolyMet CEO Jon Cherry and Rich Nolan to Speak at ConservAmerica Minerals Event Tomorrow



Rich Nolan will be a featured panelist at tomorrow's ConservAmerica "[Growing Supply Crisis for Critical Minerals](#)" event. The virtual event will be webcast at 9:00 a.m. Eastern, focusing on America's reliance on foreign sources of critical minerals. Other speakers include: Rep. Pete Stauber, Ranking Member of the Committee on Natural Resources Subcommittee on Energy and Mineral Resources; Jon Cherry, President & CEO of PolyMet; Abby Smith, energy and environment reporter at the Washington Examiner; and Tristan Abbey, President of Comarus Analytics.

**Register and Reserve Hotels Now for MINExpo
INTERNATIONAL® 2021**



As a reminder, MINExpo® takes place this year, from September 13 – 15, in Las Vegas, following the NMA’s annual Fall Board of Directors and Member’s meeting, which will be held in Las Vegas September 12. There is still time to [become an exhibitor](#). All attendees must register and [registration is online only](#). Producer members may register at no cost but please be sure to use your company email address when registering to ensure fees are waived. [Lodging is also available through the MINExpo website](#).

If you have any questions, please contact the NMA’s [Katie Coon](#).

NMA and Third-Party Voices

[S&P Global](#) quotes Rich Nolan in a report on how U.S. climate policy could conflict with a push by the Biden administration to re-examine mining regulations, setting up a possible showdown between environmental groups and moderate Democrats.

[North of 60 Mining News](#) quotes Rich Nolan in a story exploring how federal regulations being proposed by President Biden threaten to rain on a parade of strong metals prices, growing demand for critical minerals, and robust investments into mineral exploration and mining across Alaska.

[The News Herald](#) quotes Rich Nolan in a report on experts who are urging the Biden administration to get serious about safely mining minerals for use in green technology.

The NMA is quoted in an [Argus](#) story on challenges to U.S. coal production, including a worker shortage.

The NMA is mentioned in a [Bloomberg](#) report that fossil fuel companies say the voluntary system of revealing financial risk is more than enough for shareholders.

From our third parties, [The Washington Times](#) (D.C.) carries an op-ed by Kevin Kearns, president of the U.S. Business & Industry Council, in which he argues we must reshore supply chains from places like China for environmental reasons.

[Inside Sources](#) (D.C.) carries an op-ed from Dan Ervin, a finance professor at Salisbury University, in which he argues environmental opposition to reshoring mineral production is proving counterproductive to efforts to address climate change.

[MSN.com](#) (National), [Pottstown Mercury](#) (Pa.), [Exton Daily Local](#) (Pa.), [Swarthmore Times Herald](#) (Pa.), [Lansdale Reporter](#) (Pa.), [Delaware County Daily Times](#) (Pa.), [Phoenix Reporter and Item](#) (Pa.), [Mainline Times](#) (Pa.), [Montgomery News](#) (Pa.), [Fort Myers News Press](#) (Fla.), [Naples Daily News](#) (Fla.), [Casper Star Tribune](#) (Wyo.), The [Kokomo Tribune](#) (Ind.), [St. Joseph News Press](#) (Mo.), the [Elko Daily Free Press](#) (Nev.), [Towanda Daily Review](#) (Pa.), [Johnstown Tribune Democrat](#) (Pa.), [Yahoo News](#) (National), and [The Northwest Indiana Times](#) (Ind.) all ran an op-ed by Terry Jarrett, an energy attorney and consultant who has served on both the board of the National Association of Regulatory Utility Commissioners and the Missouri Public Service Commission, in which he argues simply adding more wind and solar—and failing to value the reliability afforded by existing coal, nuclear, and natural gas generation—could be a recipe for disaster.

[The Ohio News Time](#) (Ohio) and [The Lima News](#) (Ohio) carry an op-ed from Dr. Robert Chase, the former chair of the geology department at Marietta College, in which he argues the U.S. must adopt a strong industrial policy to encourage domestic production of

minerals and to ramp up domestic manufacturing to counter China's control of mineral markets and downstream industry.

Mining and Energy News

Axios noted that the United States is “at a major disadvantage to China, which controls most of the world's [battery minerals mining and processing](#).”

[Engineering & Mining Journal reported on recent analysis by Weir Group Plc](#) that calculates mining's share of global energy consumption and identifies ways the industry can aid the transition to net zero emissions.

[Argus Media reported](#) that June coal-based power generation is expected to reach a three-year high due to record heat in some parts of the country and reduced nuclear and hydro power output.

[The Wall Street Journal reported](#) that coal prices have climbed to their highest level in a decade, making coal a hot commodity in a year when governments are pledging reductions in carbon emissions.

[Washington Examiner](#) reports that more than half (62 percent) of the renewable power added in 2020 was cheaper than the lowest-cost fossil fuel option, according to a report by the International Renewable Energy Agency.

Argus Media reported that coal exports out of [Hampton Roads](#), Virginia, rose in May to the highest level in more than a year, reflecting some of the recovery in seaborne metallurgical and thermal coal. In related (and also positive) news, Argus reported that global coal exports began to show signs of recovery in April.

[Reuters](#) reported that the Texas power grid faces the summer having changed little from the February freeze.

Argus Media reported that U.S. coal production has [accelerated](#) in recent weeks amid growing export and domestic demand and that U.S. coal-based generation [rose by 33 percent](#) in April from year-earlier levels amid growing power demand and a slight drop in natural gas generation.

E&E News published: “Why coal plant workers [aren't going green.](#)”

[The International Lead Zinc Study Group's latest lead and zinc report](#) shows that global zinc mine production rose by a substantial 11.3 percent, influenced by increases in Australia, Bolivia, China, India, Ireland, Mexico, Peru, South Africa and the U.S. In Canada, Finland, Kazakhstan, Namibia and Poland, however, output was lower compared to the same period of 2020.

The New York Times [explored uses](#) for captured carbon dioxide.

S&P Global chronicled the headwinds for power plant [carbon capture projects.](#)

A Financial Post reporter chronicled a 3,000-mile road trip through U.S. energy country, concluding: “Biden promised to green the country's energy on a massive scale. Some Americans [will be left behind.](#)”

Casper Star-Tribune examined the recent Union of Concerned Scientists report that claimed a “[just transition](#)” for fossil fuel workers is possible.



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