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MINE Update
MINING INDUSTRY NEWS E-COMM UPDATE

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This Week in The News

With the Labor Day holiday in the rear-view mirror, House committees continued to work on the partisan reconciliation bill, trying to meet a Sept. 15 committee deadline for fleshing out \$3.5 trillion of proposed new spending and tax increases with potentially significant impacts on the industry. 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

Week Two of National Preparedness Month: [Build a kit!](#) Ready.gov has [lots more materials](#) to support your Preparedness Month activities if you want to learn more.

House Reconciliation Legislation Timetable

The House of Representatives has started work on the proposed \$3.5 trillion budget reconciliation legislation. Select committees are marking up pieces of legislation that together will become the House's budget reconciliation bill. Over the next two weeks, several committees are scheduled to hold markups that are relevant to the domestic mining sector: on Thursday, Sept. 9, the Natural Resources Committee will resume [marking up](#) its [legislative text](#), as will the [Education and Labor Committee](#). The Ways and Means Committee will also begin its [markup](#) the same day, which is anticipated to conclude on Tues., Sept. 14. The final two days of this markup will be reserved to work out the pay-fors for the complete reconciliation package. Additionally, next week on Monday, Sept. 13, the Energy and Commerce Committee will tentatively meet at 11:00 a.m. to markup its portion of the package, and on Tues., Sept. 14, at 10:00 a.m., the Committee on Transportation and Infrastructure will tentatively markup its legislation. The NMA will circulate relevant information, including legislative text and policy changes that could impact the industry, as it becomes available.

House Natural Resources Budget Reconciliation Markup, Part 1: Mining Amendments Considered



Last Thursday, the House Natural Resources Committee began marking up its [budget reconciliation bill](#) and considering the nearly 160 amendments filed to the legislation, almost all of which came from the committee's minority. The \$31 billion-plus measure sets damaging anti-mining policy and spending in several areas. Please find a [summary of the bill here](#). Lasting more than nine hours, the committee considered nearly 50 amendments during the markup and took roll call votes on 20 of them, all of which were voted along party lines. Much of the first four hours of the markup were spent debating hardrock mining issues followed by coal, oil and gas. Please find a link to the NMA's memo on the first day of the markup [here](#), which includes mining-specific votes that were taken.

This coming Thursday, Sept. 9, at 10:00 a.m., the committee will reconvene to consider the remaining amendments to the bill. If they finish debate and dispense with the roll call votes requested, the committee is expected to vote on final passage of its portion of the reconciliation bill. Several other House committees with reconciliation instructions will be taking up bills within their jurisdiction this week and into next. Individual bills are expected to be passed out of their respective committees and combined into one large reconciliation bill, likely going to the House floor the week of Sept. 20.

In advance of the markup, The NMA worked to educate committee members and their staff about the impacts of specific provisions within the bill and developed amendment ideas to strike these harmful policies. In addition, the NMA sent the following letters to House committee leadership in opposition to the coal and hardrock provisions in the legislation.

Please find a link to the letter opposing hardrock reconciliation provisions [here](#), the letter opposing coal reconciliation provisions [here](#), and the Grand Canyon mineral withdrawal opposition letter [here](#). NMA will continue to highlight the damaging provisions in this bill with allied House members while we continue to work with allied Senate members to change and remove provisions from this bill.

EPA and Army Corps Halt Implementation of the NWPR

Significant uncertainty remains over the legal status of the 2020 Navigable Waters Protection Rule (NWPR) after an Arizona district court remanded and vacated the NWPR last week. At the time of the ruling, it was unclear whether the order vacating the rule applied nationwide or only to the plaintiffs before the court. Despite uncertainty concerning the scope of the order, the U.S. Environmental Protection Agency (EPA) and Army Corps announced that they are halting implementation of the NWPR nationwide and are interpreting the definition of waters of the U.S. consistent with the pre-2015 regulatory regime until further notice. We also understand that Corps districts have paused all review and issuance of jurisdictional determinations that provide landowners certainty over which waters are subject to Clean Water Act regulation until further notice. The NMA is part of the business coalition that intervened to defend the NWPR in the Arizona case and is evaluating potential legal paths forward.

NMA Board Meeting and MINExpo INTERNATIONAL® 2021 are Just Days Away

The NMA's Fall Board of Directors and Annual Members Meeting is this Sunday, September 12, followed by MINExpo INTERNATIONAL® 2021, which starts on Monday, September 13, in Las Vegas, Nev. As a reminder, all attendees [must register online to attend](#).

The board meeting will be held at the Wynn Las Vegas. Keynote speaker Charlie Cook will speak at 1 p.m., immediately followed by the Board of Directors and Annual Members Meeting. As in the past, there will not be CEO breakout sessions or a Manufacturers and Service Board of Governors meeting.

NMA producer and resource developer members may register for MINExpo® at no cost, but please be sure to use your company email address when registering to ensure fees are waived.



NMA and Third-Party Voices

[Yahoo! News](#) quotes Rich Nolan in its coverage of potential royalty fees on new and existing hard rock mines on federal lands as part of the reconciliation package.

Rich Nolan is quoted in a [Roanoke Times](#) report that notes that, while President Joe Biden was promoting his push for electric vehicles at a Ford plant in Michigan, congressional Republicans were hosting a forum on the fact that Biden's own regulations are among the biggest obstacles to America's green tech future.

[Pit & Quarry](#) quotes the NMA in a story on MINExpo INTERNATIONAL.

From our third parties, the [Pottstown Mercury](#) (Pa.), [Swarthmore Times Herald](#) (Pa.), [Lansdale Reporter](#) (Pa.), [Phoenix Reporter and Item](#) (Pa.), [Mainline Times](#) (Pa.) and [Montgomery News](#) (Pa.) all ran an op-ed by Matthew Kandrach, president of Consumer Action for a Strong Economy, in which he argues we need a balanced electricity mix for reliability and affordability.

[Scranton Times Tribune](#) (Pa.) carries an op-ed by Forrest Remick, a retired commissioner of the U.S. Nuclear Regulatory Commission, in which he argues ramping up domestic mineral production and restoring this critical piece of our industrial base is as important to our economic and energy future as minerals are to the infrastructure and energy systems they make possible.

Mining and Energy News

[The Wall Street Journal](#) reported that prices for the lithium-based chemicals that go into rechargeable batteries have soared this year as electric-vehicle sales have revved up, particularly in China.

[Utility Dive](#) reported that higher levels of uranium enrichment can unlock value from smaller and simpler reactors, but they come with new hurdles that the nuclear industry says only the federal government can address.

[Associated Press](#) reported that a slew of proposed geothermal lithium extraction projects fuel hope for an economic revival in communities around California's Salton Sea.

[Mining.com reported on](#) Bank of America Global Research's recent analysis indicating that cobalt producers are in a race to cover the growing supply gap.

[Mining.com reported](#) that Nissan has developed technology that could cut the recycling cost of rare earths used for EV magnet motors in half.

[Forbes reported on](#) Afghanistan's large reserves of various metals and minerals, including not just gold but also platinum, silver, copper, iron, aluminum and uranium. Reserves are an estimated value of between \$1 trillion and \$3 trillion.

EIA's recent [Short-term Energy Outlook](#) for September noted that "As a result of the higher expected natural gas prices, the forecast share of electricity generation from coal rises from 20 percent in 2020 to about 24 percent in both 2021 and 2022." For nuclear, generation declines from 21 percent in 2020 to 20 percent in 2021 and to 19 percent in 2022, due to retiring capacity at some nuclear power plants.

[Argus Media](#) reported that "U.S. steam coal exports for July climbed off the nearly four-year low set in July 2020 as demand and prices continued to climb."

[Argus Media](#) reported that coal deliveries to utilities climbed 21 percent in June amid a strong rebound in coal consumption and higher natural gas prices. [Argus](#) also reported that coal-based generation in the Midcontinent Independent System Operator (MISO) power grid region climbed to a three-year high in August amid record high power demand and rising natural gas prices. [And in a separate story](#), it noted that coal generation in the Southwest Power Pool (SPP) grid region increased 9 percent in August despite increased renewables generation.

[Argus Media](#) reported that PacifiCorp is set to retire 19 out of its 22 coal-based generation units over the next 20 years by either closing or converting them to natural gas.

[Coal Age](#) reported that coal export operations at Louisiana's Covent Marine Terminal were temporarily halted late last month due to the power outages resulting from Hurricane Ida. And [Argus Media](#) reported that U.S. Gulf petroleum coke and coal terminal operations may be disrupted for weeks after the hurricane made a direct hit on the refining and shipping hub of New Orleans in late August.

Wyoming broke ground on a [coal-to-products](#) "Innovation Center."

POWER published; "Types of coal and [fuel blending tips](#) for coal power plants."



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