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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

Flight cancellations and an epic snowstorm conspired to delay resumption of U.S. Senate activities this week. With the House out of session until next week, this midterm election year is off to a fitful start in Washington, D.C. 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

Here are [New Year's safety resolutions](#) that take less than 10 minutes.

Next Steps in Congress



As is usual in any new year, although Congress meets early in the year, it usually gets off to a slow start. This year is no different. The House will convene next week. The Senate convened this week but will only hold a few votes confirming nominees. The Senate is expected to turn to voting legislation and possibly Senate filibuster procedure votes related to that voting legislation next week leading up to the week of Jan. 17. All remains quiet on the Build Back Better budget reconciliation legislation with Sen. Joe Manchin (D-W. Va.) maintaining his opposition to the bill and with his principal attention on the upcoming voting procedure and filibuster procedure upcoming votes. The NMA is engaging already with key congressional leadership and targeted offices concerning next steps for a range of legislation affecting the mining industry, such as expected mining law legislation in the U.S. House, and tax legislation in the U.S. Senate that would impact the mining and energy industries given Congress' inability to pass tax legislation in the Build Back Better Act or through the usual annual tax extender legislation.

Natural Resources Republicans Oppose NEPA Policy Rollback

Led by Ranking Member Bruce Westerman (R-Ark.), Republican members of the U.S. House Natural Resources Committee are opposing the Biden administration's proposed rule that would nullify the Trump administration 2020 reforms of the National Environmental Policy Act (NEPA) regulations. In a [letter](#) to Brenda Mallory, Chair for the Council on Environmental Quality (CEQ), signatories advocated for the 2020 reforms and said that "reinstatement of an ineffective NEPA regulatory scheme will damage domestic industry, confuse businesses, delay needed projects and harm our environment. CEQ has already confused and politicized the NEPA process by issuing more than 35 sets of guidelines creating lengthy reviews that prevent proper management of federal lands." The NMA will continue to work with congressional allies to support maintaining the CEQ's 2020 NEPA reforms and oppose legislative and administrative efforts to reverse them.



Congressional Western Caucus Releases 2021 Accomplishments

On Monday, the Congressional Western Caucus (CWC) released its list of accomplishments for 2021. Please find a link to the list [here](#). It focuses on opposition to the Biden administration's early policies related to domestic energy production from federal lands and waters, the rollback of the Navigable Waters Protection Rule (NWPR),

prioritizing modernization of the Endangered Species Act, and the identification of Western Conservation Principles, a document to which the NMA contributed. Please find an op-ed published today from Congressman Buddy Carter (R-Georgia) and CWC Chairman Dan Newhouse (R-Wash.) entitled [Bring back energy independence](#). The op-ed discusses concerns related to Biden administration policies that limit U.S. energy security, the need to reprioritize domestic energy production, as well as recent legislation introduced by the two representatives called the [Make Energy Affordable Act](#). Introduced last month, the bill would require the Departments of Energy, Interior, Labor, Environmental Protection Agency, Energy Information Administration, and the Federal Energy Regulatory Commission to report on rising energy prices in the U.S. and develop a plan to address it that requires consideration of all energy sources, include regulatory and permitting reforms.

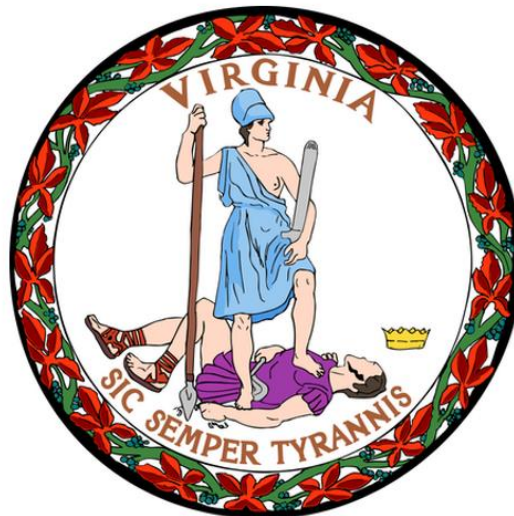
NMA Submits Comments on Selenium Water Quality Criterion

On Jan. 3, the NMA submitted [comments](#) on the Environmental Protection Agency's (EPA) draft technical support materials (TSMs) for implementing the 2016 selenium criterion. Recall that these four draft implementation materials initially were first released in 2016 but were never finalized and were then rescinded under the previous administration. The NMA's comments include a detailed technical review prepared by GEI Consultants. Overall, while the NMA's comments recognize the TSMs as a good starting point, we urged the agency to address GEI's concerns and recommendations to ensure that the mining industry and other stakeholders have the clarity needed to implement the criterion.

DOI Announces Next Steps to Implement the 30x30 Conservation Initiative

The Department of the Interior (DOI) this week [announced](#) next steps on implementation of its America the Beautiful initiative. The initiative, also known as the 30x30 initiative, arose out of Executive Order [14008](#), which established a conservation goal of at least 30 percent of U.S. lands and waters by 2030. DOI is currently requesting comments on the creation of an American Conservation and Stewardship Atlas to track a clear baseline of information on lands and waters that are conserved or restored. Additionally, DOI announced three virtual public listening sessions to collect information. The comment period ends on March 7, 2022. The NMA intends to submit comments stressing the importance of land access to ensure a secure supply of minerals for the nation and discouraging large scale mineral withdrawals.

Andrew Wheeler Announced as Virginia's Secretary of Natural Resources



Today, incoming Virginia Governor Glenn Youngkin (R-Va.) announced that former U.S. EPA Administrator Andrew Wheeler is his pick to become the next Secretary of Natural Resources for the mining state of Virginia. Wheeler began his career at the U.S. EPA and was ultimately confirmed by the U.S. Senate to be deputy administrator and administrator for the agency during the Trump administration. He also spent 14 years working on

environmental and energy policy issues on Capitol Hill including as staff director for the U.S. Senate Environment and Public Works Committee. However, Wheeler also has substantial experience with the NMA working as a Washington representative for one of the NMA's member companies for 10 years.

NMA and Third Party Voices

Rich Nolan [issued a statement](#) on tomorrow's anniversary of the Jan. 6 attack on the Capitol.

Rich Nolan is quoted in an [E&E Daily](#) story on Sen. Catherine Cortez Masto, who has been shoring up her credentials with the mining industry in recent months, a crucial constituency in Nevada as the Democrat fights for reelection in next year's midterms.

[Rich Nolan's December President's blog](#) highlights the essential role that mining plays throughout the holidays.

The NMA's MINExpo INTERNATIONAL is mentioned and the NMA is quoted in an [Elko Daily Free Press](#) report on the past year in mining.

From our third parties, [The Southern Illinoisan](#) (Ill.) and [The Northwest Signal](#) (Ohio) ran an op-ed by Terry Jarrett, an energy attorney and consultant who has served on the board of the National Association of Regulatory Utility Commissioners and the Missouri Public Service Commission, in which he warns we need the existing coal and nuclear power capacity to safeguard against energy crises.

Mining and Energy News

[The Wall Street Journal](#) ran an opinion piece highlighting that the Biden administration's rush to "replace gasoline-powered cars with electric vehicles would hand the keys to the American transportation sector to China, given Beijing's near-monopoly on rare-earth elements like neodymium and dysprosium."

[The Wall Street Journal](#) reported that auto makers are trying to control more of the supply chain for electric vehicles, forging new partnerships with raw materials producers and investing in facilities that make chemicals for batteries.

[The Silver Institute's December news report](#) is expecting that 2021 silver mine production will rise by 6 percent year-on-year to 829 Moz. "This recovery is largely the result of most mines being able to operate at full production rates throughout the year, following enforced stoppages in 2020 due to the pandemic."

[The Wall Street Journal](#) reported that gold is on pace to end the year with its largest decline since 2015, disappointing investors who bet the metal would cushion their portfolios from inflation.

[Utility Dive](#) reported that former critics of nuclear power agree, financial support may be justified for firm power options to tackle climate change and get over the net zero emissions finish line.

[Argus Media](#) (subscription) reported that the SPP power region's coal generation jumped 19 percent in 2021.

[Utility Dive](#) reported that the Northeast utilities are spending billions on resilience in the power system, and that the investments are paying off.

[Utility Dive reported](#) on NERC reliability analysis and a recent reporter call cautioning that extreme weather is becoming more common and energy disruptions seen in California last August and in Texas this February "should serve as a wake-up call for the rest of the country."

[Argus Media](#) (subscription) reported that U.S. coking coal exporters are expecting another

good year in 2022 based on supply tightness and steady seaborne demand outside of China.

[Argus](#) Media (subscription) reported that at least 10 workers have died in U.S. coal mines in 2021, double the number of fatalities from the last year's record low.

[Power Magazine](#) reported that 2021 was characterized by an extraordinary series of critical energy crises. Power blackouts, brownouts, interconnection mismatches, severe fuel shortages and near-misses affected nearly every region in the world.

Charleston Gazette-Mail published: "State regulators, utilities [cling to coal](#)."

Bloomberg published: "Private equity lines up for [coal 'bonanza'](#) left by public miners."



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