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MINE Update
MINING INDUSTRY NEWS E-COMM UPDATE

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This Week in the News

The House of Representatives recessed until after President's Day while the Senate continued work to pass a three-week government funding bill by Friday, when current funding expires. With news media attention focused on Russia and Ukraine, 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

[Furniture tip-overs](#) are an often overlooked safety hazard, accounting for more than 30,000 emergency room visits annually and a startling number of fatalities among children.

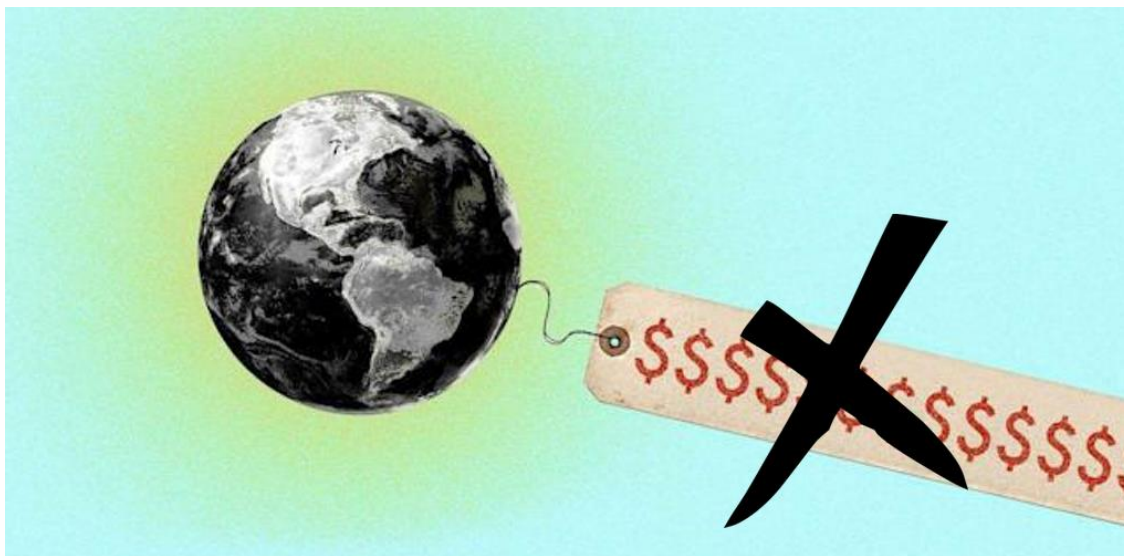
NMA Participates on Minnesota Mining Panel with Former DOI Secretary Bernhardt



On Feb. 10, the NMA's Senior Vice President of Government and Political Affairs, Ryan Jackson, participated in the [Minnesota Mining Summit](#) in Virginia, Minn., to discuss the importance of domestic mineral development to support manufacturing, energy infrastructure and national security needs. The summit was hosted by Energy and Mineral Resources Subcommittee Ranking Member Pete Stauber (R-Minn.), House Western Caucus (WC) Chairman Dan Newhouse (R-Wash.), and House Natural Resource Committee Ranking Member Bruce Westerman (R-Ark.) and other members of the Resources Committee and WC, including Reps. Michelle Fischbach (R-Minn.), Tom Tiffany (R-Wis.), Jerry Carl (R-Ala.) and Jay Obernolte (R-Calif.). They heard from two panels who discussed the benefits domestic mining offers Minnesota's communities and America's economic security. Panel participants included NMA-members Dean DeBeltz (Twin Metals Minnesota), Jon Cherry (PolyMet Mining Inc.), Jessica Johnson (Talon Metals

Corporation) and Tannice McCoy (Teck Resources Limited), as well as Chrissy Johnson (U.S. Steel) and Harry Noyes (Encampment Minerals Inc.). The second panel included the NMA's Ryan Jackson, David Bernhardt (former U.S. Secretary of the Interior) and Mark Compton (American Exploration and Mining Association). The NMA will continue to work with the House Natural Resources Committee and the Congressional Western Caucus to support NMA-member priorities, including robust domestic mineral supply chains and access to our nation's mineral endowment. See coverage of the event [here](#).

Federal Judge Blocks Use of Social Cost of Greenhouse Gas Metrics



Judge James Cain of the U.S. District Court for the Western District of Louisiana issued a preliminary injunction on Friday that prevents federal agencies from using the Biden administration's revised interim social cost of greenhouse gas (SC-GHG) interim metrics. Last year, Louisiana led nine states, including Alabama, Florida, Georgia, Kentucky, Mississippi, South Dakota, Texas, West Virginia and Wyoming, in filing a lawsuit in the Louisiana District Court challenging and seeking to vacate and enjoin the interim metrics.

Judge Cain, a Trump appointee, found that the states demonstrated “multiple independently sufficient grounds” to vacate the interim metrics. First, Judge Cain concludes that “the President lacks power to promulgate fundamentally transformative legislative rules in areas of vast political, social, and economic importance, thus, the issuance of [Executive Order] 13990 violates the major questions doctrine.” Second, Judge Cain finds that the Executive Order was promulgated without complying with the Administrative Procedure Act’s notice and comment requirements. Finally, Judge Cain agrees with the states that the SC-GHG interim metrics are arbitrary and capricious because the Intergovernmental Working Group on SC-GHGs failed to consider the positive externalities of energy production, failed to justify the use of global rather than domestic scope in calculating costs, departed from decades of cost-benefit practices regarding discount rates, used inherently flawed models to produce the interim metrics, rejected recent standards set by the Council on Environmental Quality concerning National Environmental Policy Act regulations, and ignored significant federalism costs. Judge Cain’s memorandum ruling is available [here](#). Judge Cain’s order is available [here](#). The DOJ is expected to appeal this decision to the U.S. Court of Appeals for the Fifth Circuit. The preliminary injunction will likely delay the administration’s plans to propose final metrics for public comment while this case is pending.

NMA's Environment Committee Meeting is March 7-8



The NMA Spring Environment and Lands Committee meeting will take place in Scottsdale, Ariz. at the Hotel Valley Ho on March 7 and 8, 2022. **If you were not able to book your room in time and would still like to join us, please contact [Tawny Bridgeford](#).** This meeting is a great resource for learning about the mining industry's regulatory priorities, what the administration plans to accomplish this year, and how the association plans to respond to these challenges. We encourage companies to send a representative to engage in this interactive discussion. This year's meeting will begin at 1 p.m. on Monday, Mar. 7. Our outdoor networking reception will also occur that evening. The next day, Tuesday, Mar. 8, we will begin at 8 a.m. and conclude the meeting by 5 p.m. Please note that the Uranium Environmental Subcommittee is planning to meet at 9 a.m. on Mar. 7. A formal agenda will be sent prior to the meeting. Proof of vaccination, or proof of a negative COVID test result received within 48 hours of the meeting, will be required to attend this meeting.

NMA and Third Party Voices

The NMA's Katie Sweeney is quoted by [IHS Markit](#), which reports that current US mining levels are barely making a dent in the volume of metals deemed critical to meeting President Joe Biden's goal of electric vehicles (EVs) accounting for 50% of sales by 2030

and a decarbonized power sector by 2035, mining analysts and environmental advocates agree.

The NMA is quoted by [E&E Greenwire](#) in reporting that states are increasingly considering taking over the federal government's job of overseeing wetlands and water permitting under the Clean Water Act as they seek to expedite mining projects.

From our third parties, [Las Vegas Sun](#) (Nev.), [Bryan Times](#) (Ohio), [Northwest Signal](#) (Ohio) and [St. Joseph News Press](#) (Mo.) all ran an op-ed by Michael Stumo, CEO of the Coalition for a Prosperous America, in which he argues it's past time to rebuild America's mining industry and reestablish secure, domestic supply chains in order to support a competitive, future American industrial base.

Mining and Energy News

[Bloomberg](#) reported that lithium's vital role in electric-vehicle batteries means automakers, miners and investors are racing to figure out how much supply the world will need in the coming years -- and also how much it's going to get.

[Mining.com](#) reported that global mined lithium production hit a record high in 2021 of 100,000 metric tons (excluding the U.S.), a 21% increase over 2020 (82,500 tons), according to preliminary data released by the U.S. Geological Survey (USGS).

[IHS Markit reported](#) on analysis showing that current U.S. mining levels are barely making a dent in the volume of metals deemed critical to EV growth.

[Mining Technology](#) featured analysis arguing that with sales of electric cars booming, rising demand for transition minerals could pose a challenge for the mining industry.

The [Silver Institute's](#) *World Silver Survey 2022* release shows that global silver demand may achieve a record high in 2022, rising 8 percent to 1.112 billion ounces. "Paving the way is projected record silver industrial demand, while physical silver investment should

enjoy double-digit gains, reaching a seven-year high this year.” Silver mine production is forecast to grow 7 percent to a six-year high this year.

[Axios](#) reported that a startup using artificial intelligence to locate critical materials like cobalt and nickel needed for electric vehicle batteries just brought in almost \$200 million.

[E&E Greenwire](#) reported that a titanium mining project is caught in the crosshairs of a fight over just how far the federal government’s reach extends under the Clean Water Act and what determines a “water of the U.S.,” or WOTUS.

[A recent EIA Today in Energy brief](#) highlights their International Energy Outlook 2021 analysis for three cases for coal markets in India and Greater Southeast Asia (GSEA) and the role that varying levels of coal production and trade play in the regions' carbon dioxide (CO2) emissions and electricity generation mix.

[Argus](#) reported that coal-fueled generation in the Southwest Power Pool (SPP) in January rose by 4.5 percent from a year earlier, helped by colder weather.

[Reuters](#) reported that the Biden administration said that \$725 million in federal funds would be available to states this year to clean up abandoned coal mines.

[E&E Climatewire](#) reported that the Travelers Cos. Inc. is limiting its support for coal and oil sands companies.

[Argus](#) and [S&P Global](#) reported that U.S. thermal coal exports reached a six-month high in December, with Argus noting that shipments to parts of Africa, northern Asia and Europe climbed.

[Argus](#) reported that coal supply in the U.S. should remain tight through this year even with an uptick in production, according to EIA projections.

[Argus](#) reported that Wyoming lawmakers are considering legislation that would offset the effect on oil, gas and coal producers from any increase in federal fossil fuel royalty rates.

[S&P Global](#) reported that Duke Energy Corp. recently announced plans to cut coal to less than 5 percent of its total generation by 2030 and to fully exit coal by 2035, in what the company described as the "largest planned coal fleet retirement in the industry."

[Energy Wire reported](#) that "the Tennessee Valley Authority announced a new nuclear program yesterday, ramping up efforts to build a wave of advanced reactors across the Southeast to meet its 2050 net-zero goal."

[S&P Global](#) reported that U.S. coal-fueled generating capacity is set to take a record plunge in 2028 in advance of tough environmental rules, with more than 23 GW scheduled to come offline, dwarfing the previous retirements record set in 2015.

[Bloomberg](#) reported that coal-fueled power is still raising trillions of dollars of funding, despite finance industry pledges to back net zero carbon targets by the middle of the century.



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