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# MINE Update

MINING INDUSTRY NEWS E-COMM UPDATE

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## This Week in the News

Both chambers of Congress recessed for two weeks and as the Biden administration struggled to address burgeoning inflation and rising energy prices and the regulatory engine at the agencies churns on. 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.

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## Safety Share

The National Association of Safety Professionals identified the [top six workplace hazards](#).

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## Western Caucus Spotlights Lithium Americas' Thacker Pass Mine



On April 6, House Western Caucus (WC) Chairman Dan Newhouse (R-Wash.) and WC Vice Chair Mark Amodei (R-Nev.) held a virtual forum to hear about the mine permitting process for projects like Lithium Americas' Thacker Pass Mine and the Biden administration's contradictory attempts to support a domestic mineral supply chain. Newhouse and Amodei received strong industry testimony from NMA-member Jon Evans (President and CEO of Lithium Americas) and Debra Strusacker (co-founder of the Women's Mining Coalition) as well as from Dave Mendiola (Humboldt County Manager). The witnesses discussed the need for improving the timeliness of the mine permitting and appeals process, and the importance of workforce development and a robust domestic mineral supply chain, reducing our reliance on mineral imports to benefit economic and national security, and opportunities for access to capital like those provided by the Department of Energy's Loan Program Office. Please find a link to the forum [here](#). The

NMA will continue to work with the WC and other congressional allies to support improvements to the mine permitting process and strengthen domestic mineral supply chains.

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## **NMA Files Comments on EPA's Mercury Air Standards**

The NMA this week filed [comments](#) on the U.S. Environmental Protection Agency's (EPA) [proposed rule](#) to “reaffirm the scientific, economic, and legal underpinnings of the 2012 Mercury and Air Toxics Standards (MATS) for power plants.” The NMA opposes the proposed rule and urges EPA to reevaluate its “appropriate and necessary” finding in a manner more consistent with the U.S. Supreme Court’s decision in *Michigan v. EPA*. In particular, the NMA asks EPA to more fairly recognize that the benefits cited are highly uncertain, the costs are real and substantial, and the risks from hazardous air pollutants (HAP) from coal-fired electric generating units (EGUs) are now lower than any threshold Congress or EPA has ever before deemed worthy of regulation. The NMA also asks EPA to use its upcoming review of the 2020 residual risk and technology review to further emphasize how low the risks of EGU HAP emissions are today and confirm that no more stringent regulation is necessary.

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## **NMA Meets with MSHA on 2022 Priorities**

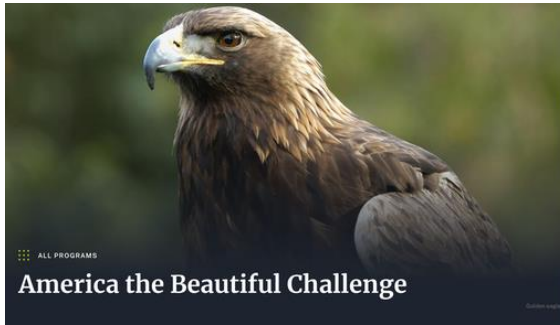


Last week the NMA met with Mine Safety and Health Administration (MSHA) leadership to discuss their key initiatives and rulemaking objectives for 2022. MSHA discussed the agency's ongoing [safety-initiatives](#) focused on powered haulage, pillar collapse, fire suppression and COVID 19. The NMA committed to working collaboratively on these initiatives by keeping our members informed. We also highlighted the NMA CORESafety program and the benefits it presents to reducing and ultimately eliminating fatalities and accidents in the mining industry

Regarding rulemaking objectives, MSHA highlighted its development of a proposed rule for crystalline silica and a rule allowing mine operators to use electronic surveying equipment that meet certain technical specifications under certain conditions. Furthermore, MSHA will continue work on completing rulemaking to revise testing, evaluation and approval requirements for electric-motor driven equipment and accessories intended for use in gassy mines and completion of rulemaking establishing a written safety program for mobile equipment and powered haulage.

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## **\$1 Billion for America the Beautiful Challenge and Rural Playbook**



Yesterday, the Biden-Harris administration [announced](#) a \$1 billion America the Beautiful [Challenge](#) in partnership with the National Fish and Wildlife Foundation that will support locally led ecosystem restoration projects that invest in watershed restoration, resilience, equitable access, workforce development, corridors and connectivity, and collaborative conservation. Funded in part by the recently passed Bipartisan Infrastructure Law, the initial commitment by the federal government is \$440 million over the next five years and will be leveraged with private and philanthropic contributions to accelerate conservation efforts across the country. The Challenge will offer states, tribes, territories, local groups and non-governmental organizations the opportunity to apply for multiple grant programs through a streamlined process.

Simultaneously, the Biden-Harris administration [announced](#) a [Rural Playbook](#) to help state, local, tribal, and territorial governments in rural areas unlock the benefits from the Bipartisan Infrastructure Law. The Playbook is intended to help rural communities understand the available funding and apply for infrastructure dollars by identifying programs and sources of funds and providing an overview of key flexibilities and other benefits available. Links to the seven federal agency facts sheets can be found [here](#).

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## NMA Seeks Member Input on SEC Climate Disclosure Rule

On April 11, the SEC published in the Federal Register its [proposed rule](#) on “The Enhancement and Standardization of Climate-Related Disclosures for Investors,”

solidifying a May 20 deadline for written comments. The proposed rule would make extensive amendments to existing disclosure requirements to include certain climate-related disclosures in registration statements and periodic reports. The NMA held a membership virtual meeting this week to walk through the major components of the rule and begin initial discussions on areas of concern for the mining industry. During the meeting, outside counsel's [presentation](#) identified potential legal and practical concerns that could be raised in association comments. **The NMA is seeking member company feedback by Apr. 20 to identify key topics for association comments.** Please contact Tawny Bridgeford at [tbridgeford@nma.org](mailto:tbridgeford@nma.org) if your company has identified any legal or practical concerns with the proposed rule that should be addressed in written comments.

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## Bill to Ensure Domestic Fuel for Advanced Nuclear Reactors

On April 7, Senate Committee Energy and Natural Resources (ENR) Ranking Member John Barrasso (R-Wyo.) introduced the Fueling Our Nuclear Future Act (S. 4066), to ensure a domestic supply of high-assay, low-enriched uranium (HALEU) in the U.S. Specifically, the legislation directs the Department of Energy (DOE) to prioritize establishing domestic capabilities for the enrichment of HALEU while making existing DOE inventories of HALEU available for use in advanced reactors until domestic commercial enrichment capacity is operational. This is the third piece of legislation recently introduced by Ranking Member Barrasso to support the domestic uranium mining and conversion industries, including a ban on the importation of uranium from the Russian Federation and the establishment of a national strategic uranium reserve. Please find a link the text of S. 4066 [here](#) and a link to the committee's press release [here](#). The NMA will continue to work with congressional allies to advocate in support of the domestic uranium mining industry.

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## Access the NMA's New MAST Tool – Regulatory Tracker

The NMA's Mining Action Strategy Team (MAST) tool was conceived as an internal tool to ensure a multi-discipline team (legal and regulatory/government affairs/ communications) approach to development of strategies on high priority regulatory issues. As we began populating the MAST tracker, we realized it would be a useful construct for association members to access a snapshot of our regulatory efforts. The NMA will update the status of each issue weekly to the extent new actions have occurred. Password: Mining

[MINING ADVOCACY STRATEGY TEAM](#)

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## MINEPAC + COALPAC: Making a Difference

MINEPAC and COALPAC contributed nearly \$600,000 through events and direct contributions in 2019-2020 and \$222,000 in 2021 to support to pro-mining members of Congress, including:



Sen. Joe Manchin (D-W.Va.)



Sen. Catherine Cortez Masto (D-Nev.)



Rep. Pete Sauber (R-Minn.)

Our goal is to have a similar impact in 2022. Through MINEPAC and COALPAC, the NMA has already supported numerous pro-mining members of Congress this year, and we hope to expand our impact as the 2022 midterm election fast approaches.

For even more information about NMA's PACs, please contact Ryan Jackson at [rjackson@nma.org](mailto:rjackson@nma.org) or MK Kirlin at [mkirlin@nma.org](mailto:mkirlin@nma.org). In the meantime, see our [FAQs](#) to learn more.

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## Register Now for the NMA's Spring Board Meeting



The NMA's Spring Board of Directors Meeting will be held May 2-4, 2022, at The Ritz Carlton, Sarasota, Fla. We are looking forward to seeing everyone in person again.

As we continue to operate under the new normal, we recognize that many people are still being very cautious with exposure. The NMA will continue to follow certain COVID protocols in order to create a safe environment for our members. In addition to following all CDC guidelines and locally mandated safety protocols (currently, masks are optional), we also require proof of vaccination. You may bring your vaccination card to registration (a

picture of the card will work as well), or you may utilize the digital vaccine card on the CLEAR app.

To register for the board meeting, as well as optional activities including a golf outing and a guest program, please [click here](#).

Hotel rooms in the NMA block are on a first come, first serve basis. The group rate (\$309 /night) - now passed - was available until April 8th, 2022. [Click here to reserve a room](#) at the Ritz Carlton. You can also call the reservations department at 877-557-3089.

Should you have any questions regarding the meeting, please contact Katie Coon at 202-463-2632. See you in sunny Florida!

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## NMA and Third Party Voices

[The Washington Examiner](#) quotes Rich Nolan in its coverage of the European Union's decision to put an embargo on Russian coal imports, which, it reports, affords the U.S. mining industry an opportunity to expand its footprint in Europe.

Rich Nolan is quoted in a story from [The BL](#), which notes that, when President Joe Biden used Cold War powers to boost home production of vital battery minerals for electric vehicles, he fired up mining companies, battery makers, and environmentalists.

[Strategic Sourceror](#) quotes Rich Nolan in a report on growing calls from the American public and fossil fuel industry stakeholders to increase domestic drilling, and the Biden administration's approach to address the country's energy crunch by increasing the supply of raw materials needed for electric vehicles.

The NMA's Katie Sweeney is quoted in a [Roll Call](#) report on the NMA's lobbying spending as Congress took up legislation to overhaul the general mining law.

The NMA is quoted in an [Inside Sources](#) op-ed which argues the U.S. should “streamline the permitting process for mining/raw material operations” if it wants to accelerate the development of a domestic EV supply chain.

## Mining and Energy News

[E&E News](#) published: “Judge says Montana officials unlawfully approved copper mine.”

[Utility Dive](#) reported that there is a growing focus on emerging battery technologies that use domestic minerals and elements because supply chain constraints are impeding lithium-ion battery storage.

[Bloomberg published](#): “Biden’s battery metals boost could ease U.S. dependence on China.” Bloomberg says the amount of money freed up is tiny, but advocates for energy self-reliance and mining are hopeful this is just the start.

[Reuters](#) reported that Rio Tinto, General Motors and even the U.S. Energy Department are investing heavily in a crop of newer technologies that could revolutionize the way lithium is produced for electric vehicle batteries.

[Benchmark Minerals](#) reported that the lithium-ion battery is in the midst of its transition from niche industry to mainstream platform technology for the 21st century.

[Coal Age](#) reported on recent EIA data showing spot coal prices jumped to more than \$100 per ton.

[Argus Media](#) reported that coal generation in the Southwest Power Pool (SPP) region increased 22 percent in March while natural gas-fueled power fell amid higher prices. SPP coal power has seen increases for the third month in a row now. And Argus also reported that coal-fueled power in the PJM Interconnect region fell in March from year-earlier levels despite higher electricity use.

[Argus](#) reported that U.S. thermal coal exports fell from year-earlier levels for the first time in 15 months in February as shipments to India continued to falter.

[Mining.com](#) reported from Bloomberg that at least 45 percent of U.S. coal power is set to disappear by the end of the decade, a figure that will likely rise as more utilities conclude their coal-fueled plants no longer make financial sense to operate, according to the Institute for Energy Economics and Financial Analysis.

[Bloomberg published](#): “Don’t Expect U.S. Miners to Replace Russian Coal in Europe.”

Business [Insider](#) published “Nuclear power could transform the U.S. energy grid — but decades of roadblocks and rising prices are standing in the way.” And in a recent [Today in Energy](#), EIA reported that U.S. nuclear power generation continues to decline as more reactors retire.

[EIA](#) announced Monday that Dr. Joseph DeCarolis had joined EIA as the agency’s new Administrator.

Visual Capitalist illustrated the [history of energy transitions](#).



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