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# MINE Update

MINING INDUSTRY NEWS E-COMM UPDATE

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Brought to you by the National Mining Association

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## This Week in the News

In an unexpected development, Senate Energy and Natural Resources Committee Chairman Joe Manchin (D-W.Va.) announced the negotiation of a partisan \$740 billion bill that Democrats hope to pass through reconciliation as early as this weekend. With the political situation still fluid, 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 Safety Council offers a wide selection of [summer safety tips](#) for whatever activity you undertake in August.

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## Reconciliation Bill Update



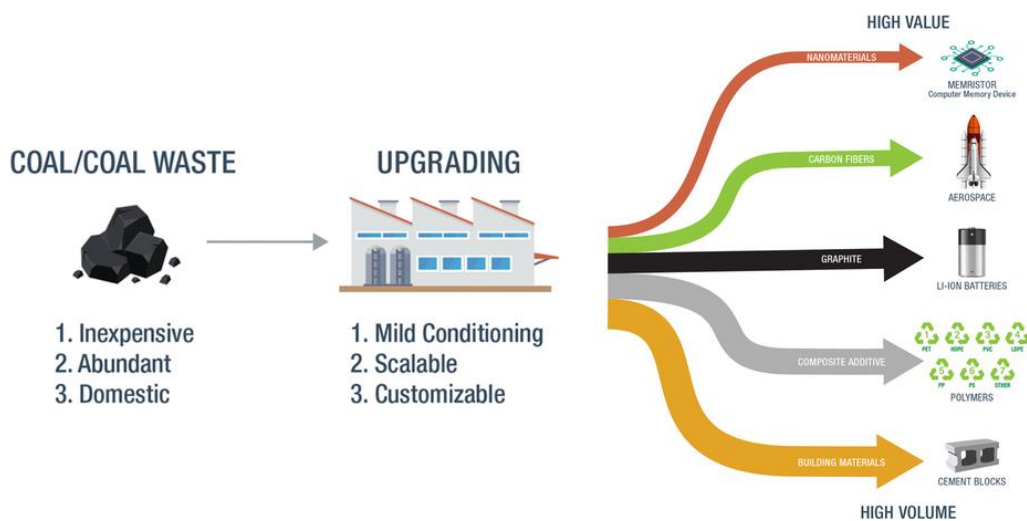
Last week Senator Joe Manchin and Senate Majority Leader Chuck Schumer (D-N.Y.) [announced they had reached an agreement](#) for a broad new bill to move through the Congress' partisan budget reconciliation process requiring only a majority vote for final passage of the legislation instead of the usual 60 vote threshold needed to pass legislation in the Senate. This week, the Senate Parliamentarian is meeting with bipartisan representatives from all committees in the Senate with provisions in this bill to ensure each provision in the bill complies with Senate budget rules. This review is crucial as each provision in the [725-page bill](#) will need to survive the Parliamentarian's scrutiny to remain in the bill and remain subject to only a majority threshold to pass the Senate.

Of all the provisions in the bill, the 15 percent corporate alternative minimum tax is receiving the most attention as the principal revenue raiser for the bill. Senate Finance Committee Republicans have released information on its [impact on manufacturers](#), [impact on individuals](#), and information [opposing the bill](#) overall. Senate Finance

Committee Democrats have [countered with information](#) supporting the bill, the AMT, and its impact on targeted industries.

Further scrutiny and debates among Senate committees with the Parliamentarian concerning other tax provisions dealing with renewable energy and domestic resourcing for electric vehicles, as well as other environmental and energy provisions, will last into this week and weekend. However, Senator Schumer continues to push for the Senate to pass the bill this week planning for the U.S. House to follow suit as soon as next week. The NMA remains actively involved in the progression of this legislation, continuing to lobby on key provisions impactful to the mining industry, responding to senate offices for assistance with the provisions in the bill, and updating the NMA members on developments and results.

## DOE Announces Funds to Develop Products from Coal and Coal Waste



On Monday, the Department of Energy's (DOE) Office of Fossil Energy and Carbon Management (FECM) announced funding of up to \$6 million is being made available for research and development projects that utilize coal and coal waste to produce products used in batteries and advanced manufacturing. The funding announcement, found [here](#),

highlights coal's unique structure and composition as being well suited "for producing various high-value carbon products like carbon nano-materials, activated carbons, and graphite," which have numerous high-tech applications including computer devices, batteries, capacitors, and catalysts, among others. Funding applications must be submitted by October 6. The NMA will continue to identify and track funding opportunities through federal agencies to support and utilize coal use through traditional and non-traditional opportunities.

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## Senate Expected to Consider CRA on Biden NEPA Rules

This week, the Senate is expected to consider a Congressional Review Act (CRA) [Resolution](#) of Disapproval, introduced recently by Senator Dan Sullivan (R-Alaska) to nullify President Biden's final Phase 1 National Environmental Policy Act (NEPA) [rule](#), which was finalized on April 20. The Phase 1 rule restores provisions that were modified in the 2020 NEPA reform [rule](#), including the requirement for federal agencies to evaluate all relevant environmental impacts; providing federal agencies full authority to address alternative approaches that could minimize environmental health and public costs; and establishing CEQ's NEPA regulations as a floor, rather than a ceiling, for the environmental review standards that federal agencies should be meeting. Under the CRA, disapproval resolutions are privileged pieces of legislation which may be passed by simple majorities in the House and the Senate. The NMA and a number of other industries provided statements of support for the CRA resolution, which has been cosponsored by all Republicans in the Senate. Please find a link to Senator Sullivan's "What They Are Saying" [here](#), which includes a statement from the NMA. Please also find a link to the Senator's press release [here](#). The NMA will continue to support legislative efforts to enact needed reforms to the NEPA process.

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## **NMA Files Comments on Army Corps Modernization Effort**

The NMA formed a coalition to file [joint comments](#) on several important policy changes the U.S. Army Corps of Engineers (Corps) is exploring to modernize its Civil Works program. The comments (1) explained how requiring Tribal consultation on approved jurisdictional determinations does not fit within the regulatory process; (2) encouraged the Corps to retain its own National Historic Preservation Act Appendix C regulations rather than adopting wholesale those of the Advisory Council on Historic Preservation; and (3) urged the Army and Corps to involve industry and the broader business community in any guidance it plans to develop for its regulatory program related to environmental justice. The NMA was able to secure the participation of five other trade associations representing a broad swath of the economy, including American Exploration and Mining Association; Industrial Minerals Association – North America; National Association of Home Builders; National Stone, Sand, and Gravel Association; and U.S. Chamber of Commerce. We plan to continue engagement with the Army and Corps on these issues.

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## **MSHA Assistant Secretary Addresses NMA Safety Professionals**



Last week, the NMA Health and Safety Committee and the CORESafety Advisory Group met at the NMA offices for the first face-to-face meetings since 2019. During the Health and Safety Committee meeting, Mine Safety and Health Administration (MSHA) Assistant Secretary Chris Williamson spoke about his priorities, perspectives on today's mining industry and MSHA's regulatory agenda. Additionally, he highlighted opportunities where collaborative efforts would support MSHA's and the NMA's safety and health missions. The NMA will continue to seek opportunities to engage with MSHA on safety committee priorities.



## NMA and Third Party Voices

# POLITICO

The mining executive looking to seize the moment



### The Long Game

*A newsletter from POLITICO for leaders building a sustainable future.*



Politico [features a Q&A](#) with the NMA's Katie Sweeney that focuses on efforts to reform the general mining law.

Rich Nolan is quoted in a [press release](#) on organizations supporting NEPA reform. The NMA is mentioned in a press release from [the office of Sen. Joni Ernst](#) (R-Iowa), a member of the Senate Committee on Agriculture, Nutrition and Forestry, noting that she joined her colleagues in an effort to shine a light on the impact of some of the Biden administration's regulations, and prohibit new rules from further crippling the American economy, specifically American agriculture and energy producers.

In his latest [president's blog](#), Rich Nolan discusses the importance of streamlining the mine permitting process.

From our third parties, [RealClearEnergy](#) (D.C) carries an op-ed by John Adams, U.S. Army brigadier general (retired), is president of Guardian Six Consulting and a former deputy U.S. military representative to NATO's Military Committee, in which he argues the mineral sourcing requirements in the reconciliation bill – coupled with other incentives to

encourage domestic mining, mineral processing and recycling– are precisely the bold measures needed to address the alarming vulnerability in mineral insecurity.

## Mining and Energy News

A recent EIA [Today in Energy](#) release shows that by most measures, production of uranium concentrate (U<sub>3</sub>O<sub>8</sub>) remained at or near all-time lows in the U.S. during 2021, at 21,000 pounds, which is less than 1 percent of the post-2000 production high of 4.9 million pounds U<sub>3</sub>O<sub>8</sub> in 2014. As domestic production has declined, an increasing amount of the uranium purchased for use in U.S. commercial nuclear power reactors has been seen from other countries.

[E&E Daily](#) reported that the Department of Energy believes U.S. nuclear plants can operate today without Russian uranium, but only for a limited time if Congress doesn't step up with big funding.

[Politico Pro](#) reported on David Ferris' discussion on the issue of critical minerals, China's dominance in the supply chain and the need for automakers to lock up long-term supply contracts for the production of EVs.

[Bloomberg](#) reported that [Redwood Materials Inc.](#), run by [Tesla Inc.](#)'s former chief technology officer JB Straubel, is building a \$3.5 billion factory in Nevada to produce battery components to power electric vehicles.

[Mining.com](#) published: "Two simple charts show why green energy is all about mining," noting that the metal intensity of renewable energy resources has an immense impact of metals and mining.

[Mining.com](#) reported that recycling won't provide enough copper to meet demands.

[Bloomberg](#) reported that undeterred by the slowing global economy, buyers of key components in the powering of electric vehicles are stepping up efforts to lock in supplies,

with two of the world's biggest automakers signing direct deals with producers of battery metals.

[Mining.com](#) reported that Canada's lithium supply response is expected to post strong growth through 2031 and outperform the U.S., a new analysis by Fitch Solutions Country Risk & Industry Research suggests.

[Utility Dive](#) reported that lithium constraints have dominated headlines, but experts say a lack of graphite could soon create supply headaches for automakers.

The [World Gold Council](#) reported that gold demand in the second quarter was down 8 percent this year to 948 tons. However, thanks to strong ETF inflows in the first quarter, gold demand for the first half of 2022 is up 12 percent compared to the first half of 2021 at 2,189 tons.

[E&E Greenwire](#) reported that the Energy Department announced that it closed on a \$102.1 million loan for a Louisiana graphite processing plant with the potential to help make millions of electric vehicles.

[S&P Global](#) reported on internal analysis showing that natural graphite imports to the U.S. tripled between August 2021 and April 2022, driven by strong demand for electric vehicles in the wake of the COVID-19 pandemic.

[Reuters](#) reported that high coal prices, supply bottlenecks and aged plants are posing a challenge to Germany's plan to increase electricity production from hard coal-fueled power plants to compensate for declining gas deliveries, according to operators and industry experts.

[Reuters](#) reported that European buyers have had to temporarily set aside green aspirations in a rush for coal as the region's energy crisis deepens, ramping up shipments from Australia, South America, Colombia and South Africa while tightening the global market.

[Argus](#) reported that U.S. coal-fueled generation fell from a year earlier in May despite an

increase in electric power demand due to warmer weather.

[Axios](#) reported that global coal consumption is slated to rise slightly this year, matching the prior peak set in 2013, the International Energy Agency said in a new forecast.

[Wall Street Journal](#) reported that some of the world's largest iron-ore miners said they expect the market to continue dictating prices of the commodity despite China setting up a centralized buying group to try to gain more sway.

[Washington Post](#) reported that China has embarked on one of the biggest shake-ups of the global iron-ore market in more than a decade.

[S&P Global](#) reported that in recent months, prices for a wide range of metals and mining products, including coal and iron ore, have plummeted as fears of a recession mount.

[Argus](#) reported on IEA analysis predicting that global thermal coal exports will fall by 0.3 percent.

[The New York Times](#) reported that West Virginia will punish banks that don't support coal. This move is part of a growing effort by Republican officials to shut out companies that are backing away from fossil fuels.

[Mining.com](#) reported that the biggest U.S. coal miners are seeing soaring revenues as global demand for coal drives prices to record highs.

## Mining Action Strategy Team

Access the latest snapshot of the NMA's ongoing regulatory efforts. The MAST tracker is updated weekly to the extent new actions have occurred.

Current password: Mining

## Mining Action Strategy Team

### CORESafety



The August edition of CORESafety TV:

- A discussion of the dangers of extreme heat.
- An interview with Stephen Gigliotti from MSHA.
- CORESafety's module eight on Communication and Collaboration.

### Bluefield Coal & Mining Show



# THE BLUEFIELD COAL & MINING SHOW

A Show for Mining:  
Our Past, Present, Future

September 14, 15, 16, 2022

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