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MINE Update

MINING INDUSTRY NEWS E-COMM UPDATE

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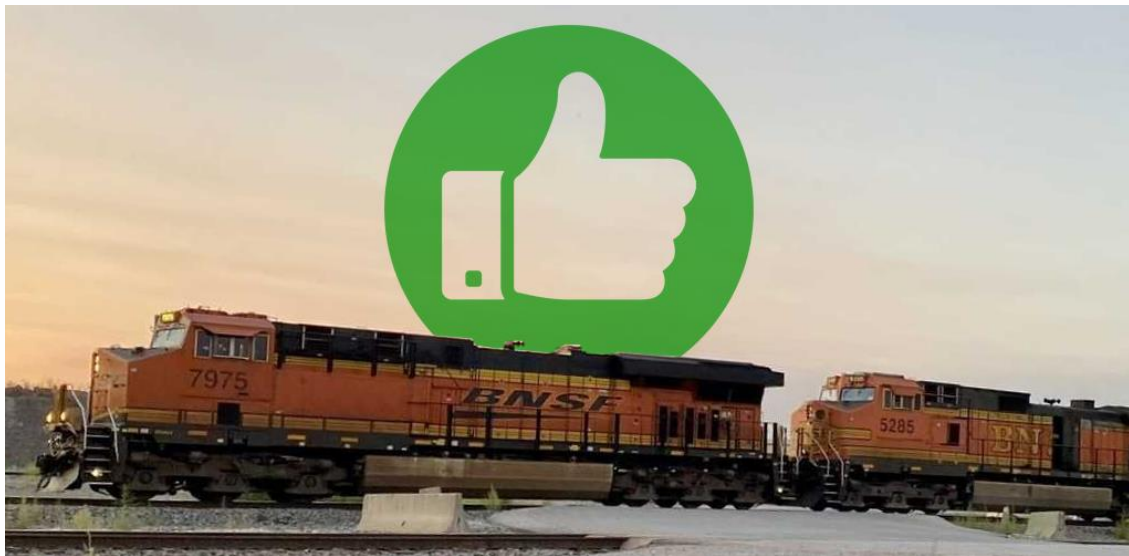
This Week in the News

With less than seven weeks until the midterm elections and a United Nations General Assembly meeting and the Federal Reserve meeting pulling attention to foreign affairs and higher interest rates, Congress is left with only a handful of legislative days to secure a government funding extension, new permitting legislation, among other riders before jetting off to the campaign trail. Despite the distractions for policymakers, 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

September 18-24, 2022, is Falls Prevention Awareness Week. The National Council on Aging has [developed a toolkit](#) designed to get all parts of the community engaged in preventing falls and reducing falls risk.

U.S. Rail Shutdown Averted



Last week the U.S. freight rail carriers and rail labor unions reached a tentative agreement to prevent a labor strike or a lockout that would have wreaked havoc on an already tight supply chain. While these tentative agreements were welcome news, the threat of a shutdown is not over, as each of the 12 unions must individually ratify the agreements. While the agreements are being voted on by union members, the “cooling off” period under the Railway Labor Act has been extended until votes are finalized. It could take as long as 30 days for members to vote, or the time period could be extended again. If ratified, the tentative agreements last five years, and are retroactive to 2020. The NMA [requested](#) that members of Congress act swiftly in enacting back-to-work legislation should a labor strike or lockout occur. The NMA was actively engaged with the media as the situation developed, with Rich Nolan appearing on [Fox Business](#) and in coverage from [S&P Global](#), [E&E Energywire](#), [Washington Examiner](#), [American Public Power](#)

[Association](#), and elsewhere. We will keep you updated on this issue as we receive information.

Results from NMA Survey on Rail Service

The NMA recently sent an anonymous survey to our members to assess ongoing rail service issues and impacts involving Class I rail carriers. The survey data provided the basis of a [letter](#) last week to the Surface Transportation Board (STB) to illustrate the continued impacts to captive shippers and resulting consequences.

Recall that the NMA testified in April at STB hearings on inconsistent and reliable rail service. After the April hearings, the STB ordered certain Class I railroads to submit service recovery plans and additional data. Since April, rail service has not improved, as evidenced by the STB's own data provided by the railroads, and NMA members' candid responses to the survey. The NMA's letter illustrates the types of service issues that are threatening the U.S. energy supply and grid reliability. In particular, we highlight the failure of railroads to deliver coal demanded by the utilities, which forced them to turn to natural gas at a time of exorbitant prices. The NMA called on the STB to further hold Class I railroads accountable and to provide additional relief to confront the ongoing service problems.

New Critical Minerals Refinery Funding Announced



Yesterday, the Department of Energy (DOE) [announced](#) that up to \$156 million in funding will be available to U.S. academic institutions for activities that support the creation of a critical minerals and rare earths demonstration facility. The NMA-supported funding was appropriated within the Bipartisan Infrastructure Law, and when operational, the demonstration facility will extract, separate, produce, and refine rare earth elements and other critical minerals from unconventional sources and waste streams originating from mining, energy production, and related activities.

NMA member companies and state mining associations are encouraged to engage their academic partners to urge strong participation in the demonstration facility. The [application](#) for funding closes on November 21, 2022.

Senate EPW to Hold Hearing on Bipartisan Good Samaritan Bill

On September 29 at 10:00 a.m., the Senate Environment and Public Works Subcommittee on Chemical Safety, Waste Management, Environmental Justice, and Regulatory Oversight and the Subcommittee on Fisheries, Water, and Wildlife will hold a joint legislative hearing on the bipartisan *Good Samaritan Remediation of Abandoned Hardrock*

Mines Act of 2022 (S. 3571). This hearing comes after several months of bipartisan efforts to encourage the committee to take action on S. 3571, including letters sent on [May 11](#) and [July 14](#) from the bipartisan cosponsors of the legislation, citing existing regulatory barriers and the lack of liability protections that prevent the cleanup of abandoned hardrock mine lands. The NMA is in the process of assisting the committee's majority and minority with identifying potential witnesses to support the bipartisan legislation. In addition, the NMA plans to submit written testimony in support of S. 3571.

ENR Ranking Member Stauber Introduces Minerals Permitting Reform Bill



Yesterday, House Natural Resources Subcommittee on Energy and Mineral Resources Ranking Member Pete Stauber (R-Minn.) introduced the *Permitting for Mining Needs (MN) Act of 2022*. A link to the legislation and to Rep. Stauber's press release can be found [here](#) and [here](#). The bill applies to all mineral production and ensures ancillary mining activities that were put in jeopardy by the Rosemont decision. Other key provisions from the legislation include expediting reviews of minor surface disturbance activities on federal lands providing consistency between the U.S. Forest Service and Bureau of Land Management; placing limitations on judicial review; designating lead agency coordination to minimize mine permitting delays and setting time limits for the permitting process; and

allowing recipients of federal funds under the Defense Production Act for domestic mining or processing to be considered as a covered projects under the Federal Permitting Improvement Steering Council should they chose.

The Stauber bill is part of a larger domestic mineral supply chain legislation called the *Securing America's Mineral Supply Chains Act of 2022* that will be introduced on Thursday by House Natural Resources Committee Ranking Member Bruce Westerman (R-Ark.) and cosponsored by Energy and Commerce Committee Ranking Member Cathy McMorris Rodgers (R-Wash.). In addition to permitting, that legislation will include land use planning, technological innovation, mine workforce development, and mineral supply chain provisions. These minerals bills are the foundation for pro-mining legislation to be further refined and introduced in the next Congress. The NMA will continue to receive feedback on the legislation and work with committee staff as they work to prepare it for introduction in the next Congress.

NMA Member Perpetua Resources Awarded Department of Defense Funding

Perpetua Resources announced this week has received two funding grants from the U.S. Department of Defense (DOD) Defense Logistics Agency (DLA) to study the domestic production of military-grade antimony trisulfide, an essential component in ammunition and dozens of other defense materials. Perpetua will receive \$200,000 in total to evaluate whether antimony from the Stibnite Gold Project can meet military specifications to help secure America's defense and commercial ammunition supply chain while also evaluating alternate methods for purifying antimony trisulfide. For more information visit [here](#).

Mine the Vote



The 2022 midterm elections are fast approaching, and the NMA wants to ensure that you are prepared to support candidates that support the mining industry. We are re-launching our Mine the Vote campaign, which serves as a resource for the 2022 election, where you can get information on registering to vote, learning where and when to vote, and find your pro-mining candidates and lawmakers who need your support this November. Look out for more Mine the Vote information and resources leading up to the elections so you can vote for mining.

How can you support pro-mining members of Congress? MINEPAC and COALPAC. If you are interested in further supporting mining allies in Congress, you can do so through the NMA's Political Action Committees (PACs), MINEPAC and COALPAC. For even more information on the NMA's PACs please contact Ryan Jackson at rjackson@nma.org or MK Kirlin at mkirlin@nma.org. In the meantime, see our [FAQs](#) here to inspire more questions.

NMA Holds Successful Board Meeting and Congressional Reception



Last week, the NMA and nearly 100 member company representatives gathered in Washington for our annual Fall Board of Directors and Members meeting. In addition to productive CEO and board meetings, participants heard from a wide range of high-profile government speakers relevant to our industry including Sen. John Barrasso, Ranking Member of the U.S. Senate Energy and Natural Resources Committee; Sen. Lisa Murkowski, Ranking Member of the U.S. Senate Interior, Environment, and Related Agencies Appropriations Subcommittee; Mark Uyeda, Commissioner, U.S. Securities and Exchange Commission; Rep. Morgan Griffith, Ranking Member of the U.S. House Energy and Commerce Oversight and Investigations Subcommittee; Rep. James Comer, Ranking Member of the U.S. House Oversight and Reform Committee; Rep. Dan Newhouse, Chairman of the Congressional Western Caucus; Rep. Cathy McMorris Rodgers, Ranking Member of the U.S. House Energy and Commerce Committee; and Tommy Beaudreau, Deputy Secretary of the U.S. Department of the Interior. Amy Walter, Publisher and Editor-in-Chief of the Cook Political Report, also provided insight into what to expect for the midterm elections.

The Board also thanked Jimmy Brock, President and Chief Executive Officer, CONSOL Energy Inc., for leadership as Chairman of the NMA Board over the last two years, and welcomed Mitch Krebs, President and Chief Executive Officer, Coeur Mining, as the incoming Chair.

The NMA's rooftop congressional reception was well attended with more than 150

members of Congress and their staff in attendance.

We are grateful for the enthusiastic participation of all attendees and look forward to seeing you at our Spring Board Meeting, April 2-4, 2023, in Sea Island, Ga.

NMA Mourns the Loss of Frank Calandra, Jr.



The NMA was deeply saddened to learn of the loss of our dear friend, Frank Calandra, Jr., on Friday, Sept. 16. Frank was the longest serving member of the NMA board, serving as an honorary board member of the NMA until his passing. In 1972, Frank and his brother, Jack, founded Jennmar and Frank served as president at Jennmar from 1972 until 2018. Frank was inducted into the National Coal Mining Hall of Fame in 2019. A perfect day for Frank included taking his children to school in the morning and working a full day at the office with his esteemed co-workers at Jennmar. He would always end the day at the kitchen table with his wife and children. Our thoughts and prayers are with Frank's wife, Rosemarie; his son and our good friend, Tony; and all his family, friends and loved ones.

NMA and Third Party Voices

The [SFGate](#) carries an op-ed by Rich Nolan arguing the IRA, coupled with EPA's dangerous regulatory agenda, is poised to make an alarming situation far worse.

Mining and Energy News

In a recent [Today in Energy](#) release, EIA reported that "From 2016 to 2020, the carbon intensity of U.S. power generation fell 18 percent, driven by a shift in the U.S. electricity generation mix away from coal and toward natural gas and renewables. The carbon intensity of power generation measures the amount of CO₂ emitted to produce a unit of electricity. All but seven U.S. states decreased their carbon intensity over that five-year period, although the amount of the decrease varied widely."

[Argus](#) reported on recent IEA analysis indicating that global coal production and consumption are unlikely to have reached a peak yet, with geopolitical upheaval set to push overall demand and seaborne trade higher in the years ahead.

[E&E News](#) reported that "mining will be barred for 20 years on 4 square miles of land at the Zortman-Landusky mine site now administered by the Bureau of Land Management."

[Washington Examiner](#) reported that trade groups are sounding the alarm on the threat of a rail strike to energy markets, warning Washington that a mass freight disruption would make resources more scarce and send prices of everything from coal to gasoline higher.

[Mining.com](#) reported that boron, rather than rare earths, is the critical mineral to watch.

[Axios](#) reported that coal prices are soaring as the global energy crisis forces power providers worldwide to boost coal usage.

[Inside EPA](#) reported that the Biden administration's consideration of increased domestic mining of critical minerals is drawing competing arguments from environmental groups, which want stricter regulations, and the uranium mining sector, which warns any additional costs or burdens on the domestic supply of uranium could worsen a growing supply-chain

crisis.

[Protocol](#) reported that the Pentagon and USGS have enlisted AI in their attempt to assess 50 minerals deemed critical for national security and the energy transition.

[Wall Street Journal](#) carries an op-ed arguing that Beijing is building more coal power capacity than the rest of the world combined, U.S. climate lectures notwithstanding.

[S&P Global](#) reported that despite a slight dip in lithium-ion battery shipments from China to the U.S. in the second quarter, overall U.S. battery imports continued to climb.

[Yahoo!](#) reported that coal is making a comeback globally.

[Bloomberg](#) reported that prices for lithium, the key raw material for EV batteries, have started to rise again in a new complication for global supply chains.

[GreenWire](#) reported that the Bureau of Land Management on Monday revved up a crucial environmental study that could determine the fate of a controversial mining access road proposed for Alaska.

The U.S. DOE on Monday [announced](#) up to \$156 million in funding from President Biden's Bipartisan Infrastructure Law for a first-of-a-kind facility to extract and separate rare earth elements (REE) and critical minerals (CM) from unconventional sources like mining waste.

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 September edition of CORESafety TV:

- A discussion of the drones in coal mines.
- An interview with Dr. Pedram Roghanchi and Dr. Mostafa Hassanalian.
- CORESafety's module nine on Reinforcement and Recognition.

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