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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

Congress passed a short-term extension of government funding before jetting off to the campaign trail. With funding extended only through mid-December, however, another spending bill will join a long list of issues likely to comprise a packed lame duck session to occur after the November 8 elections. 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

[Fire Prevention Week](#) is October 9-15, 2022. The National Fire Protection Association has resources and activities for all ages.

We've Changed our Brand! NMA Introduces New Visual Identity and Descriptor

The NMA this week launched a new visual brand identity reflective of the innovative and forward-looking role the U.S. mining industry plays in the modern economy. Our new brand includes a new logo, typography and primary/secondary colors. The 'M' shape of the logo evokes a mountain, represents the entirety of the industry and is stylized to lead viewers to see below the surface, an analogy to the work our industry does. The 'M' also delivers new dimensions, focusing on a forward-driving center point that showcases our commitment to the future and the essential role industry plays in technology and innovation. Check out our new look [on our website](#).



NMA Members Hear from Key Federal and Bipartisan Congressional Staff Responsible for Mine Permitting, Public Lands and the Environment



This week, members of the NMA’s Environment and Lands Committees heard firsthand from the key federal regulators and bipartisan congressional staff on House and Senate legislative committees responsible for priority regulatory and legislative issues impacting the mining industry. From the Executive Branch, NMA member companies heard from top-level leaders in the U.S. Environmental Protection Agency (EPA) and the U.S. Department of the Interior (DOI) on a variety of rulemakings and policy changes related to air quality, water quality, waste disposal, chemicals risk evaluation and reporting, permitting, species protection, abandoned mine land funding and opportunities, and environmental justice. We also heard from the Small Business Administration (SBA) on their role in the interagency review process for rulemakings and the importance of hearing from small businesses. The NMA legal and regulatory affairs team is executing our advocacy strategies on all

these regulatory matters throughout the remainder of the year and will be contacting members as necessary for advocacy development.

Speakers included:

- Shahid Mahmud, Director, EPA's Office of Mountains, Deserts, and Plains
- Michal Freedhoff, Assistant Administrator, EPA Office of Chemical Safety and Pollution Prevention
- Steve Feldgus, Deputy Assistant Secretary for Land and Minerals Management, DOI
- Glenda Owens, Deputy Director, Office of Surface Mining Reclamation and Enforcement, DOI
- Carlton Waterhouse, Deputy Assistant Administrator, EPA Office of Land and Emergency Management
- Tomás Carbonell, Deputy Assistant Administrator for Stationary Sources, EPA Office of Air and Radiation
- Lilian Sotolongo Dorka, Deputy Assistant Administrator for External Civil Rights, EPA Office of Environmental Justice and External Civil Rights
- Gary Frazer, Assistant Director of Ecological Services, U.S. Fish and Wildlife Service
- Astrika Adams, Assistant Chief Counsel for Environment, SBA
- Dave Rostker, Assistant Chief Counsel for Environment and Regulatory Reform, SBA
- Prianka Sharma, Assistant Chief Counsel for Agriculture, Energy and Natural Resources, SBA

The congressional panel included representatives responsible for writing and consideration of all legislation which address mining permitting, environmental regulation, and public lands on the priorities for their committees and outlook for the remaining two months of Congress and into next year. Representatives from NMA member companies were able to hear from these key staff and ask questions concerning the future of permitting legislation in the Congress this

year, administration of coal abandoned mine land reclamation funding, securing supply chains through mineral production and processing incentives, and hear about new legislation to invest in future mining workforces, new House permitting legislation, and oversight to maintain reliable and affordable coal generated electricity.

The bipartisan congressional staff (and their offices) joining NMA members for the hour and a half discussion included:

- Mary Frances Repko, Senate Environment and Public Works Committee Majority Staff Director (Chairman Tom Carper, D-Del)
- Adam Tomlinson, Senate Environment and Public Works Committee Minority Staff Director (Ranking Member Shelley Moore Capito, R-W.Va.)
- Peter Stahley, Senate Energy and Natural Resources Committee, Majority Mining Professional Staff Member (Chairman Joe Manchin, D-W.Va.)
- Justin Memmott, Senate Energy and Natural Resources Minority Deputy Staff Director (Ranking Member John Barrasso, R-Wyo.)
- Brandon Mooney, House Energy and Commerce Committee and Energy Subcommittee, Minority Deputy Chief Counsel (Ranking Member Cathy McMorris Rodgers, R-Wash.)
- Sarina Weiss, House Natural Resources Subcommittee on Energy and Mineral Resources Mining Majority Professional Staff Member (Chairman Raul Grijalva, D-Ariz.)
- Ashley Nichols, House Natural Resources Subcommittee on Energy and Mineral Resources Minority Staff Director (Ranking Member Bruce Westerman, R-Ark.)
- Rebecca Konolige, House Natural Resources Subcommittee on Energy and Mineral Resources Minority Professional Staff Member (Ranking Member Bruce Westerman, R-Ark.)

NMA government affairs staff continue to work to develop and maintain bipartisan working relationships all over Capitol Hill, educating staff on the mining industry and pursuing key industry priorities.



Bipartisan Mine Permitting Legislation Introduced Ahead of Annual Defense Spending Negotiations

Last week, Representative Elissa Slotkin (D-Mich), Chair of the House Armed Services Committee Defense Critical Supply Chain Task Force, introduced the [**Permit Reform in Mining for Energy and Defense \(PRIMED\) Act**](#), cosponsored by, Rep.'s Mike Waltz (R-Fla.), John Garamendi (D-Calif.), Steven Horsford (D-Nev.), and Jim Costa (D-Calif.). The bill would maximize the use of the Defense Production Act (DPA) by guaranteeing that critical and strategic materials projects under the DPA would be added to the Federal Permitting Improvement Steering Council's (FPISC) permitting dashboard and expedited

review process. While minerals production is already an eligible category for the Council's permitting dashboard, those projects are not guaranteed to undergo this expedited process. In addition to the increased support for permitting efficiency, the bill's introduction sends a strong bipartisan signal to the administration that any attempts to remove mining as a covered sector under the FPISC dashboard will not be supported by Congress.

In the Senate, several mining related amendments have been filed in response to the [House passed NDAA](#). Senator Dan Sullivan (R-Alaska) filed an [amendment](#) identical to the PRIMED Act. Senator Kevin Cramer's (R-N.D.) [amendment](#) and Senator Lisa Murkowski's amendment would ensure that mining funding through the DPA funding is limited to U.S. domestic production.

Looking forward, a core group of Senators involved in ongoing NDAA discussions are scheduled to meet on October 11th to begin debate. Timing for a final vote on the defense spending bill will be a part of the end of the year lame duck session.

More Congressional Oversight to Ensure Reliable and Affordable Energy



Before recessing for the elections, House Energy and Commerce Committee Ranking Member Cathy McMorris Rodgers (R-Wash.) added to the oversight she is conducting of the suite of EPA's regulations designed to push utilities from coal generated electricity production. Congresswoman McMorris Rodgers detailed her oversight work of EPA at the NMA Board of Directors meeting in Washington, D.C. last month. Please find examples of her most recent oversight work in letters to DOE [here](#) and [here](#) and to [EPA](#) and [FERC](#) to protect the reliability of the grid from unworkable new regulatory reach.

More Bipartisan Support for Good Samaritan Legislation

On September 29, the Senate Environment and Public Works (EPW) Subcommittee on Chemical Safety, Waste Management, Environmental Justice, and Regulatory Oversight and the Subcommittee on Fisheries, Water, and Wildlife held a joint [hearing](#) on the NMA backed bipartisan Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2022 ([S. 3571](#)). Please find the NMA's memo on the hearing linked [here](#). Senators on the two subcommittees heard testimony from Sen.'s Martin Heinrich (D-N.M.) and Jim

Risch (R-Idaho), bipartisan co-leads on the bill, along with Lauren Pagel (Policy Director at [Earthworks](#)) and Misael Cabrera (Director of the [Arizona Department of Environmental Quality](#) (ADEQ)) for the majority and Chris Wood (President and CEO of [Trout Unlimited](#)) and Jim Ogsbury (Executive Director of the Western Governors' Association ([WGA](#))) for the minority. The NMA also offered written testimony, linked [here](#), in support of the legislation. Additionally, both Sen.'s Mark Kelly (D-Ariz.) and Cynthia Lummis (R-Wyo.) submitted numerous other letters and statements of support into the record which are linked below:

- [American Exploration & Mining Association](#)
- [Arizona Department of Environmental Quality](#)
- [Arizona Mining Association](#)
- [Coeur Mining](#)
- [Conference of Western Attorneys General](#)
- [Mining and Metallurgical Society of America](#)
- [Nevada Division of Environmental Protection and the Division of Minerals](#)
- [Oregon Department of Environmental Quality](#)
- [Southern Ute Indian Tribe](#)
- [Western Governors Association](#)
- [Women's Mining Coalition](#)
- [Wyoming Mining Association](#)

The bipartisan and balanced nature of the hearing found witnesses and senators alike agreeing to the overwhelming need for liability protections to address abandoned mine lands (AML) sites, with Good Samaritan legislation being part of a bipartisan path forward. The hearing even brought a new cosponsor: Sen. Jeff Merkley (D-Ore.), who chaired the hearing, also became a cosponsor of S. 3571 shortly after the hearing concluded bringing the total number of bipartisan cosponsors to 19. The NMA will build on the positive support for the bill following the hearing to advance Good Samaritan legislation

in the Senate while also supporting introduction of companion legislation in the House of Representatives.

NMA Launches ESG Tracker

This week, the NMA is launching a new tool for members to assist in navigating the crowded voluntary sustainability standards space. A wide range of voluntary sustainability standards have been developed for the mining industry to provide assurance to companies, consumers and other stakeholders that negative Environmental, Social, and Governance (ESG) impacts are managed, and benefits are realized by communities that are associated with mining and processing. The ESG Tracker, a searchable database, will allow NMA members to quickly review and compare voluntary sustainability standards applicable to their business, who is implementing them and associated public consultation periods. Information on the launch of the ESG Tracker and how to access its contents will be sent separately later this week.

NMA and Third Party Voices

The NMA is mentioned in coverage from the [Los Alamos Daily Post](#) and a press release from [the Office of Senator Risch](#) reports on Thursday, the bipartisan Good Samaritan Remediation of Abandoned Hardrock Mines Act introduced by U.S. Senators Heinrich and Risch received a hearing in the U.S. Senate Committee on Environment and Public Works (EPW).

From our third parties, the [Colorado Springs Gazette](#) (Colo.) [St. Joseph News Press](#) (Mo.), [Bakersfield Californian](#) (Calif.), [Grand Junction Sentinel](#) (Colo.), [Casper Star Tribune](#) (Wyo.), [Roanoke](#)

[Times](#) (Va.), [Steubenville Herald Star](#) (Ohio), [Salem News](#) (Ohio), [Lisbon Morning Journal](#) (Ohio), [East Liverpool Review](#) (Ohio), [San Francisco Chronicle](#) (Calif.), [Logansport Tribune](#) (Ind.), [Jacksonville Courier Journal](#) (Ill.), [Johnstown Tribune Democrat](#) (Pa.), [The Trentonian](#) (N.J.), [Pottstown Mercury](#) (Pa.), [Exton Daily Local](#) (Pa.), [Swarthmore Times Herald](#) (Pa.), [Lansdale Reporter](#) (Pa.), [Mainline Times and Suburban](#) (Pa.) and [Delaware County Daily Times](#) (Pa.) all ran an op-ed by Matthew Kandrach, president of Consumer Action for a Strong Economy, a free-market advocacy organization, in which he argues America needs a balanced fuel mix to supply its energy generation, including coal and nuclear power.

Mining and Energy News

[Axios](#) reported that recent analyses and news reports together provide the latest evidence that coal's huge role in the global energy mix won't greatly erode soon.

[Mining.com](#) reported that over the last year and a half, the renaissance of coal – both steam and metallurgical coal – has been evident, but asks how long can it last.

[High Country News](#) reported that the Bureau of Land Management is taking comments on whether it should open about 28 million acres to oil, gas and mineral extraction.

[Argus](#) reported that U.S. coal consumption fell in July from the prior year level despite a jump in total electricity demand.

[Energywire](#) reported that the proposed \$27 million rail merger between Canadian Pacific Railway Ltd. and Kansas City Southern is causing concern in

the energy industry, with some sectors saying it could worsen existing freight delays and service problems.

[Greenwire](#) reported that the leftovers of Florida's phosphate fertilizer mining industry, more than one billion tons in "stacks" that resemble enormous ponds, are at risk for leaks or other contamination with Hurricane Ian coming ashore in the state, environmental groups say.

The **[Silver Institute](#)** released a new report by Oxford Economics, a leading independent economic advisory firm, finding that investors would benefit from an average 4-6 percent silver allocation within their portfolio, significantly higher than current holdings of silver by most institutional and individual investors.

[Argus](#) reported that coal exports from Hampton Roads, Virginia, reached their third-highest level this year in August as some rail shipments accelerated and coal sellers filled orders made earlier in 2022.

[Argus](#) reported that U.S. railroads have reached a new tentative labor agreement with one union whose members had rejected an initial contract proposal recently.

[Power Magazine](#) reported that the leader of India's power sector has said the country is preparing to add as much as 56 GW of coal-fueled generation capacity by 2030 for the country to meet growing demand for electricity. He also said India must invest in energy storage, in concert with supporting more wind and solar power development, to reach the country's goal of 500 GW of renewable energy generation capacity by 2030.

[U.S. Department of Energy](#), Fossil Energy and Carbon Management, will host an informational webinar on a new Bipartisan Infrastructure Law (BIL) funding opportunity announcement (FOA) for potential applicants on rare earth element

demonstration facility funding.

[Mining.com](#) reported on Global Energy Monitor data showing that almost a third of the new coal mines planned for the world are in China, all but guaranteeing that output will keep rising even with calls for phasing it out.

[EY](#) reported that ESG issues, geopolitics and climate change are the top three risks/opportunities facing mining and metals companies over the next 12 months, according to global mining leaders surveyed for the 15th edition of the EY Top 10 Business Risks and Opportunities for Mining and Metals in 2023.

[Politico Pro](#) reported that the Energy Department is seeking public input on how best to utilize the Cold War-era Defense Production Act to spur domestic production of clean energy technologies and strengthen grid reliability.

[Energywire](#) reported that “a new federal ‘rapid response’ team will help rural communities in the Illinois Basin take advantage of the \$200 billion Congress has appropriated for clean energy deployment.”

[Investor’s Business Daily](#) published: “Coal stocks surge as energy crisis drives coal use toward record highs.”

International Energy Agency reported that coal's share of total global power generation rebounded back [above 36 percent](#) last year.

China's permitting of new coal plants [sped up](#) in the first half of 2022.

Germany [resurrected or extended closing dates](#) of at least 20 coal-fueled power plants.

Commodity Prices

Commodity Price - Snapshot		
Metals Prices	Date	Price
Copper Spot Price (\$/lb)	10/4/22	\$3.52
Gold Spot Price (\$/ounce)	10/4/22	\$1,709.15
Lithium Spot Price (\$/kg)	10/4/22	\$71.76
Silver Spot Price (\$/ounce)	10/4/22	\$20.93
Steel HRC Price (\$/mt)	10/3/22	\$774.00
Steel Rebar Price (\$/mt)	9/30/22	\$553.24
Nickel Spot Price (\$/lb)	10/3/22	\$9.59
Energy Prices		
Coal Price - Australian Premium Coking Coal Futures (\$/mt)	10/4/22	\$313.50
Coal Spot Price - Central Appalachian (\$/st)	9/30/22	\$204.95
Coal Spot Price - Newcastle futures (\$/mt)	10/4/22	\$404.00
Coal Spot Price - Rotterdam futures (\$/mt)	10/4/22	\$301.00
Natural Gas Spot Price - Henry Hub (\$/mmbtu)	9/28/22	\$6.61

Sources: publically available data from eia.gov, dailymetalprice.com, tradingeconomics.com, sgxgroup.com, investing.com

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 October edition of CORESafety TV:

- Exploring CORESafety's module ten on Resources and Planning



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