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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

With both houses of Congress in recess following the Presidents Day holiday, political headlines turned toward foreign affairs, while the regulatory wave from the administration lurches forward. Closer to home, 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 energy and markets are faring.

Safety Share

“[Work to Zero](#)” is a National Safety Council program focused on eliminating workplace fatalities. It offers a tool to assess risks, identify technology solutions and prepare a workplace for implementation.

House Committee to Review Mine Permitting Legislation



Today, the House Natural Resources Committee [announced a legislative hearing](#) next week to take testimony from energy and natural resource producers on two pieces of legislation: Chairman Bruce Westerman’s (R-Ark.) Transparency and Production of American Energy Act ([summary](#) and [bill text](#)) and Subcommittee Pete Stauber’s (R-Minn.) Permitting for Mining Needs Act ([summary](#) and [bill text](#)). This is simply the next step in the House Majority moving new permitting and energy production legislation. The NMA’s Rich Nolan will be testifying on behalf of the industry at next week’s hearing. Two weeks ago the [House Energy & Commerce Committee](#), [Natural Resources Committee](#), and [Natural Resources Oversight and Investigations Subcommittee](#) featured five mining witnesses receiving

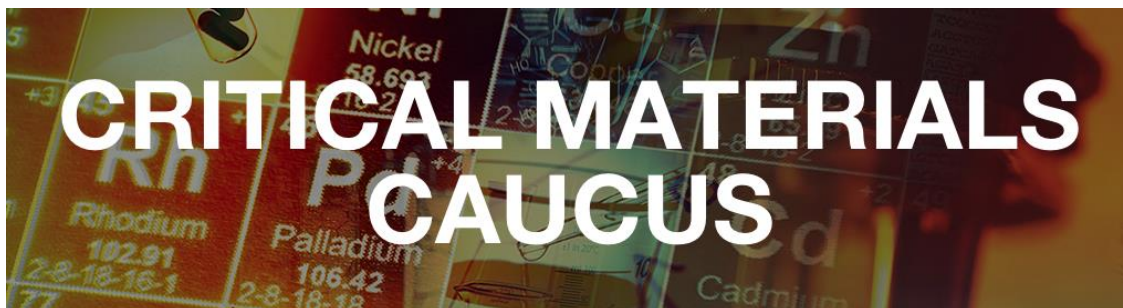
testimony on mineral demand, U.S. mining capability, and coal and mineral mining permitting challenges. The NMA has been deeply involved in the development of new permitting and coal production legislation this Congress on both sides of the Capitol.

NMA Participates in Congressional Minerals Briefing



Tomorrow, the NMA's Justin Prosser will participate in a hardrock minerals briefing for congressional staff to discuss mineral supply chains, the need for mine permitting reforms, and reshoring mineral processing and refining capabilities. The briefing will be hosted by the Congressional Western Caucus and include remarks from the Uranium Producers of America. There's growing interest in our nation's mineral supply chains and this Western Caucus briefing builds on hearings held two weeks ago in the House Energy and Commerce Committee and the House Natural Resources Committee where the NMA and NMA-members provided testimony related to our nation's growing mineral import reliance and the need for permitting reforms to secure a robust domestic mineral supply chain. Further, the briefing will be a helpful primer to educate staff ahead of next week's House Natural Resources Subcommittee on Energy and Mineral Resources legislative hearing on Permitting for Mining Needs Act and the Transparency and Production (TAP) of American Energy Act.

NMA Joins Bipartisan Critical Materials Caucus in Congressional Briefing on Permitting Reform



Last week, the NMA joined representatives from the governments of Canada and Australia for a briefing to discuss minerals supply chain topics with the House Critical Materials Caucus congressional staff. The NMA's Justin Prosser and Scott Gemperline discussed recent mineral import reliance [data](#) from the U.S. Geological Survey and new existing federal incentives to spur domestic mineral supply chain security. In addition to panelist commentary on the importance of growing supply partnerships between foreign allies, NMA highlighted the endemic issues within the existing U.S. federal mine permitting process, and highlighted proposed solutions by Congress, such as the Permitting for Needs Act of 2023, to address these delays. The bipartisan briefing is one of several opportunities the NMA has been invited to join in 2023 as the Critical Materials Caucus and bipartisan congressional allies continue to focus on oversight of domestic mining to improve U.S. and economic competitiveness and national security.



NMA-Led Coalition Files Extension Request on EPA’s Tribal Reserved Rights Proposal

The NMA recently led a new coalition of 10 national trade associations to file a joint letter requesting an extension of the comment period for EPA’s proposed rule concerning Tribal reserved rights and water quality regulations. The [letter](#) highlights the complex nature of this issue and the asks EPA to keep the comment period open until the agency provides more information, including the full universe of legal authorities that could create any rights reserved or held by Tribes, to stakeholders. In the alternative, the letter requests an extension of the current deadline by 90 days to June 5, 2023.

Twenty-four States and NMA's Industry Coalition Challenge WOTUS Rule in North Dakota



Legal challenges to the EPA and Department of the Army's latest "Waters of the United States" (WOTUS) rule continued last week as a coalition of 24 state attorneys general led by West Virginia Attorney General Morrisey [filed a lawsuit](#) in the U.S. District Court for the District of North Dakota, Eastern Division. In their complaint, the state coalition asks the court to vacate the rule, and highlights the numerous flaws with the final rule, including how the rule exceeds the agencies' authority under the Clean Water Act; destroys the cooperative federalism framework envisioned by the Clean Water Act; and will harm states and their residents. The NMA's industry coalition yesterday moved to [intervene](#) in the case in support of the state coalition. The coalition's proposed [complaint](#) and [proposed preliminary injunction motion](#) are also linked here. The NMA will keep you informed of important litigation developments in this case, as well as our recent challenge filed in Texas and any future challenges to the rule.

NMA and Third Parties In the News

The [Las Vegas Sun](#) (Nev.) and [Alaska Journal of Commerce](#) (Alaska) ran an op-ed by Rich Nolan in which he argues an American mining renaissance is within reach.

Katie Sweeney is quoted in an editorial in the [Duluth News Tribune](#) (Minn.), which argues the United States is falling way behind in the global minerals race, and the big loser could be the green-energy sector, which is heavily reliant on minerals to power energy sources like wind and solar.

[The Richfield Reaper](#) mentions the NMA in a story on the coal industry as a vital source of jobs that has the potential to create positive ripple effects through local communities it supports.

From our third parties, the [Nebraska Examiner](#) (Neb.) carries an op-ed by Barry Butterfield, a civil engineer who worked in the public and private sector for over 40 years, in which he argues for reshoring minerals supply chains.

The [Pottstown Mercury](#) (Pa.) carries an op-ed by Terry Jarret, an energy attorney and consultant who has served on both the board of the National Association of Regulatory Utility Commissioners and the Missouri Public Service Commission, in which he argues Congress and the states must push back on EPA's misguided agenda.

Mining and Energy News

[E&E Daily](#) reported that Alaska senators want 28 million acres open to mining and energy.

[Argus](#) reported that coal-fueled generation in the Electric Reliability Council of Texas (ERCOT) fell from year-earlier levels in January amid lower overall electricity demand and gains in renewable power.

[**Mining.com**](#) reported from Bloomberg on the importance of copper right now to the energy transition.

[**Montana Free Press**](#) and [**Greenwire**](#) reported that a federal judge has tossed out an Interior Department decision that would have allowed Signal Peak Energy to expand a coal-mining operation in central Montana.

[**Mining.com**](#) reported on Deloitte's latest mining trends report warning that mining and metals workforce aging and the looming retirement of experienced employees combined with low recruitment represent an urgent challenge for the industry. "Critical knowledge and skills are being lost while demand for metals and minerals surges."

[**E&E News PM**](#) reported that the Interior and Agriculture departments spent nearly \$120 million between 2017 and 2021 cleaning up abandoned hardrock mines, according to a new federal report that recommends the agencies do a better job reporting the costs of mine remediation to Congress.

[**Greenwire**](#) reported that PolyMet Mining Corp. and Teck Resources Ltd. finalized a joint venture last week to complete the copper-nickel mine that PolyMet has been developing in northeastern Minnesota, and that the partnership, NewRange Copper Nickel, hopes to eventually build a separate mine next door in an even larger ore body that Teck controls. NewRange now controls about half of the known copper, nickel, cobalt and platinum-group metal reserves in Minnesota's Duluth Complex geological formation.

[**E&E Daily**](#) reported that Senate Energy and Natural Resources Committee leaders introduced legislation last week to greenlight \$3.5 billion to bolster the Department of Energy's efforts to stimulate the country's uranium industry.

[**Inside EPA**](#) reported that EPA is presenting initial projections that the Inflation

Reduction Act's (IRA) clean energy incentives could mean that coal-fueled electricity will no longer be needed to provide "baseload" power generation in the coming years, and that the law could lead to a 90 percent reduction in coal plants' overall capacity.

[The Hill](#) reported that the United Mine Workers of America (UMWA) has cleared members to return to work at Alabama's Warrior Met coal mine after a nearly two-year strike.

[Mining.com](#) reported that researchers at Carnegie Mellon University have manufactured a copper-based material that works as an interface between electronic chips and their cooling systems.

[Duluth News Tribune](#) (Minn.) carried an op-ed arguing that the U.S. is falling way behind in the global minerals race, and the big loser could be the green-energy sector, which is heavily reliant on minerals to power energy sources like wind and solar.

[Mining.com](#) reported that Russia is likely to limit exports of key metals such as nickel and palladium if the U.S. imposes steep taxes on imports of aluminum from Russia, analysts at Trade Data Monitor say.

[Mining.com](#) reported on analysis indicating that mining companies have been investing heavily in connectivity, telecommunications, automation, and data technology. Survey data found that 93 percent reported increasing overall spending in technology and 44 percent reported a significant increase in investment.

Commodity Prices

Commodity Price - Snapshot

Metals Prices	Date	Price
Cobalt Spot Price (\$/lb)	2/20/2023	\$16.18
Copper Spot Price (\$/lb)	2/21/2023	\$4.20
Gold Spot Price (\$/ounce)	2/21/2023	\$1,833.20
Lithium Spot Price (\$/kg)	2/21/2023	\$61.41
Molybdenum Spot Price (\$/kg)	2/20/2023	\$96.00
Nickel Spot Price (\$/lb)	2/20/2023	\$12.12
Silver Spot Price (\$/ounce)	2/21/2023	\$21.77
Steel HRC Price (\$/mt)	2/21/2023	\$989.50
Steel Rebar Price (\$/mt)	2/21/2023	\$612.64
Zinc Spot Price (\$/lb)	2/21/2023	\$1.41
Energy Prices	Date	Price
Coal Price - Australian Premium Coking Coal Futures (\$/mt)	2/21/2023	\$368.67
Coal Spot Price - Central Appalachian (\$/st)	2/17/2023	\$135.70
Coal Spot Price - Newcastle futures (\$/mt)	2/21/2023	\$210.14
Coal Spot Price - Rotterdam futures (\$/mt)	2/22/2023	\$136.50
Natural Gas Spot Price - Henry Hub (\$/mmbtu)	2/15/2023	\$2.44
Uranium Spot Price (\$/lb)	2/17/2023	\$51.75

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

CORESafety



The February edition of CORESafety TV highlights module twelve on work procedures and permits.



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