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# MINE Update

MINING INDUSTRY NEWS E-COMM UPDATE

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## This Week in The News

The summer district work period for Congress continues as presidential investigations roll on and the wheels of politics and regulation continue to turn. 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

Fatigue is more than just being tired, and at work or on the road it can be deadly. The National Safety Council offers [lots of resources](#) for addressing fatigue.

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## MSHA Extends Important Comment Period on Silica Proposed Rule



The Mine Safety and Health Administration last week [announced](#) a 15-day extension of the comment period on its [proposed rule](#) to Lower Miners' Exposure to Respirable Crystalline Silica and Improve Respiratory Protection. The extension falls well short of the 60-day extension [requested](#) by the NMA and echoed by various member companies, other associations and congressional allies including [Representative Virginia Foxx](#) (R-N.C.), chair of the House Education and Workforce Committee. Comments will now be due Sept. 11 instead of Aug. 28. The NMA Technical Silica Working Group is in the process of preparing comments as the NMA continues to work with Congress on oversight.

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## Pressure on Electricity Reliability Ramps Up



Work by the NMA and industry representatives on reliability legislation in many states has helped create a greater awareness of how fragile the grid is and how a slew of federal rulemakings, and unintended consequences, can become a very real threat. A recent [multi-state lawmaker letter](#) was sent to the Federal Energy Regulatory Commission asking it to develop policies that value the importance of reliable electricity generation.

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## DOI “First National Nature Assessment”



## National Nature Assessment

The Department of the Interior’s (DOI) Office of Policy Analysis recently published in the Federal Register a [draft prospectus](#) detailing plans to engage in the [First National Nature Assessment](#) (NNA1). This assessment will be helmed by the U.S. Global Change Research Program (USGCRP), an organization established by President George H.W. Bush in 1989 with the goal to “understand, assess, predict and respond to human-induced and natural processes of global change.” More information about USGCRP, its mission and work can be found [here](#).

The topics explored in this proposed report are reminiscent of the [America the Beautiful Initiative](#) launched by the Biden-Harris administration in 2022. The purpose of NNA1 is to provide an assessment of the country's lands, waters and wildlife through the lenses of the economy, public health, security, equity and conservation. The NNA1 will also explore how nature may change in the future and what that means for the nation's economy and lives. Additional information is available [here](#).

The NNA1 is in the early stages of development, with additional opportunities to engage before its anticipated release in 2026. Comments on the draft prospectus are due Sept. 18, 2023. The NMA is seeking feedback from members on whether the NNA1 proposal merits preparation of association comments and, if so, what themes we should focus on in our comments.

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## **NMA Submits Comments on Forest Service Mineral Cost Recovery Fee Program**

This week, the NMA submitted final comments on the U.S. Forest Service's (Service) recently [proposed](#) new fees to recover the agency's costs for processing proposals related to mineral activity on National Forest System lands. The NMA's comments stress the need for improved customer service and streamlining of efforts by the Service in its minerals program. The comments also outline the regulatory uncertainties of fee estimates and non-fixed fees for permittees, especially for monitoring activities.

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## In Nebraska Coal Mining Equals Agriculture

Nineteen state senators from Nebraska wrote a [letter](#) to the Bureau of Land Management (BLM) to express their opposition to a coal mining moratorium on federal lands that could threaten Nebraska's biggest industry. The letter highlighted how important coal generated electricity is to the Midwest and the industries that are located in those states. The senators were made aware that BLM will begin amending the Buffalo Resource Management Plan in Wyoming's Powder River Basin.

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## NMA Participates in West Virginia Coal Association Annual Meeting



WEST VIRGINIA COAL ASSOCIATION

Last week, Jerry Mullins, NMA senior vice president, government affairs and external relations, and James Young, director of government and political affairs, participated in and presented at the West Virginia Coal Association's (WVCA) Annual Meeting in White Sulphur Springs, W.Va. The three-day meeting featured discussions about the coal industry, federal and state policy, and the future of coal. On the first day of the meeting, Joe Craft, CEO of Alliance Resource Partners, gave opening remarks. He was followed by a roundtable discussion with the co-chairs of the Congressional Coal Caucus:

Reps. Carol Miller (R-WV), Bill Johnson (R-OH), Morgan Griffith (R-VA) and Harriet Hageman (R-WY). The Coal Caucus co-chairs also distributed their recently released [Special Report](#) on EPA's regulations and their effect on grid reliability. The Congressional Coal Caucus is a bipartisan group of Members of Congress who support the coal industry. They were followed by presentations by Christopher Osman, Senate Energy and Natural Resources, and Adam Tomlinson, Senate Environment and Public Works Committee; both talked about upcoming federal legislation affecting the coal industry.

The second day of the meeting featured presentations and speeches from Members of Congress and the NMA. Mullins and Young gave a presentation on the NMA's efforts to advocate for the coal industry on Capitol Hill. They also discussed the importance of coal to West Virginia's economy and the need for federal policies that support the coal industry. The WVCA Annual Meeting was a valuable opportunity for coal industry professionals to come together to discuss the industry's issues.

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## **EPA Proposes Revisions to Clean Water Act Section 404 State-Based Assumption Regulations**

Yesterday, the U.S. Environmental Protection Agency (EPA) published in the Federal Register a [proposed rule](#) to revise the regulations governing the ability of states and tribes to assume the Clean Water Act (CWA) section 404 program. Comments are due Oct. 13, 2023. Recall that while the U.S. Army Corps of Engineers (Corps) generally administers the CWA section 404 program, three states (Michigan, New Jersey and Florida) have assumed administration of the program and we understand several other states are considering or exploring assuming the program. EPA will hold several

engagement opportunities, including a public hearing on Sept. 6, 2023, from 3:30 p.m. – 7:30 p.m. (Eastern). More information about these engagement sessions is available [here](#). EPA has also posted a [fact sheet](#) explaining the proposal, a [press release](#) and an [economic analysis](#) of the proposal. The proposal includes several changes to the existing regulations, including new requirements that states and tribes must demonstrate they have the funding and staff expertise to assume the section 404 program; a new process for determining the extent of waters over which the Corps would retain administrative authority following assumption; additional flexibility in mitigation approaches; ways to increase tribal participation in the process; and more.

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## NMA and Third Parties In the News

[NWI Times](#) (Ind.) and [New Hampshire Journal](#) ran an op-ed by Rich Nolan in which he argues while the nation's grid reliability experts and those tasked with keeping the lights on are expressing deep concern over the loss of essential coal and natural gas plants, EPA is throwing caution to the wind and only hitting the accelerator.

[E&E Energywire](#) quotes Rich Nolan in a story on the anniversary of the passage of the Inflation Reduction Act.

[Fox News](#) quotes the NMA in a story noting that President Biden was blasted last Tuesday after he designated about 1 million acres of public lands surrounding the Grand Canyon in northern Arizona as a national monument.

[S&P Global](#) quotes the NMA in a report noting that automakers and miners have responded with gusto to the incentives built into the Inflation Reduction Act since it was passed a year ago, investing in the U.S; battery supply chain

with a speed that surprised observers of these typically cautious industries.

[PBS](#), [Virginia Mercury](#), [The Independent](#) and [Energy Portal](#) quote the NMA in stories on the proposed silica rule.

From our third parties, [Duluth News Tribune](#) (Minn.) and [Nashua Telegraph](#) (N.H.) ran an op-ed by Jim Constantopoulos, a professor of geology and director of the Miles Mineral Museum at Eastern New Mexico University, in which he argues the need for a secure supply of critical minerals — and cooperation with miners and auto workers — is too vital for passivity.

## Mining and Energy News

[E&E News PM](#) reported that the Interior Department is taking a deeper look at the climate and environmental impacts of the contested expansion of an underground coal mine in Montana after a federal judge scrapped the agency's approval of the project earlier this year.

[Wall Street Journal](#) reported that the administration plans to designate a new national monument that would protect lands near the Grand Canyon, a move that has been opposed by the mining industry.

EIA's [U.S. Energy Atlas](#) graphically presents coal mine information on surface and underground mines in the U.S. in 2021.

[Mining.com](#) published: "An inconvenient truth...there's not enough critical metals to reach net zero."

[Argus](#) reported that U.S. thermal coal exports rose in June from year-earlier levels for a second month as buyers in the northern hemisphere stocked up

ahead of the summer cooling season.

[\*\*Politico Pro\*\*](#) reported that the power sector raised red flags over the EPA climate rule.

[\*\*Mining.com\*\*](#) reported on a recent Johns Hopkins technology development on nanoscale gold tattoos—dots and wires that adhere to live cells-, a breakthrough that puts scientists one step closer to tracking the health of individual cells.

The [\*\*Department of Energy \(DOE\)\*\*](#) announced 23 projects to receive a total of more than \$13 million in funding supporting research and development (R&D) for carbon management technologies and applications that will reduce carbon dioxide (CO<sub>2</sub>) emissions.

[\*\*Argus\*\*](#) reported that EIA's August Short-term Outlook has revised U.S. coal generation upward from last month. Coal generation will decrease 23 percent from 2022 levels to 633 billion kWh. This is up from 629.1 billion kWh generation forecast in July.

[\*\*Mining.com\*\*](#) reported on analysis from Charles River Associates indicating that mining industry investor state disputes have been growing along with mining in recent years.

[\*\*Argus\*\*](#) reported that regulatory pressures as well as staffing problems at U.S. western mines are challenging coal companies and bringing more uncertainty in the future.

[\*\*Mining.com\*\*](#) reported that there is greater awareness of the importance of critical minerals, but with that also comes an increased risk of resource nationalism across the globe.

[Argus](#) reported that exports of Utah coal to international markets will continue after 2027 despite environmental lobbyists successfully forcing California's key export coal terminals to close.

[Visual Capitalist](#), using map data from Discovery Silver, graphically describes the largest undeveloped world silver deposits.

[Mining.com](#) reported on Mining Intelligence data providing a ranking of the largest clay and hard rock projects in 2023, based on total reported lithium carbonate equivalent (LCE) resources and measured in million metric tons (mt).

[Reuters](#) reported that surging supplies of cobalt from Indonesia and Africa are forecast to outpace demand from electric vehicles, generating large surpluses over the next few years which will keep prices of the metal under pressure.

[Visual Capitalist](#) charted America's import reliance of key minerals.

EE Times reported copper may be the "[next real shortage](#)."

[MSN reports](#) that the pursuit of U.S. Steel by Cleveland-Cliffs made public in recent days, could ratchet up market concentration in steel used to make cars, food cans and batteries for electric vehicles.

## Commodity Prices

<b>Commodity Price - Snapshot</b>		
<b>Metals Prices</b>	<b>Date</b>	<b>Price</b>
Cobalt Spot Price (\$/lb)	8/14/23	\$15.15
Copper Spot Price (\$/lb)	8/15/23	\$3.65
Gold Spot Price (\$/ounce)	8/15/23	\$1,904.10
Lead Spot Price (\$/lb)	8/14/23	\$0.94
Lithium Spot Price (\$/kg)	8/15/23	\$34.92
Molybdenum Spot Price (\$/kg)	8/14/23	\$58.75
Nickel Spot Price (\$/lb)	8/14/23	\$8.97
Silver Spot Price (\$/ounce)	8/15/23	\$22.41
Steel HRC Price (\$/mt)	8/15/23	\$745.30
Steel Rebar Price (\$/mt)	8/15/23	\$491.32
Zinc Spot Price (\$/lb)	8/15/23	\$1.04
<b>Energy Prices</b>	<b>Date</b>	<b>Price</b>
Coal Price - Australian Premium Coking Coal Futures (\$/mt)	8/15/23	\$251.83
Coal Spot Price - Central Appalachian (\$/st)	8/11/23	\$66.25
Coal Spot Price - Newcastle futures (\$/mt)	8/15/23	\$146.63
Coal Spot Price - Rotterdam futures (\$/mt)	8/14/23	\$115.60
Natural Gas Spot Price - Henry Hub (\$/mmbtu)	8/9/23	\$2.91
Uranium Spot Price (\$/lb)	8/7/23	\$56.75
Sources: publically available data from <a href="http://eia.gov">eia.gov</a> , <a href="http://dailymetalprice.com">dailymetalprice.com</a> , <a href="http://tradingeconomics.com">tradingeconomics.com</a> , <a href="http://sgxgroup.com">sgxgroup.com</a> , <a href="http://investing.com">investing.com</a>		

**CORESafety**



In the August edition of CORESafety TV we review Module number 15, Behavior Optimization.



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