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MINE Update

MINING INDUSTRY NEWS E-COMM UPDATE

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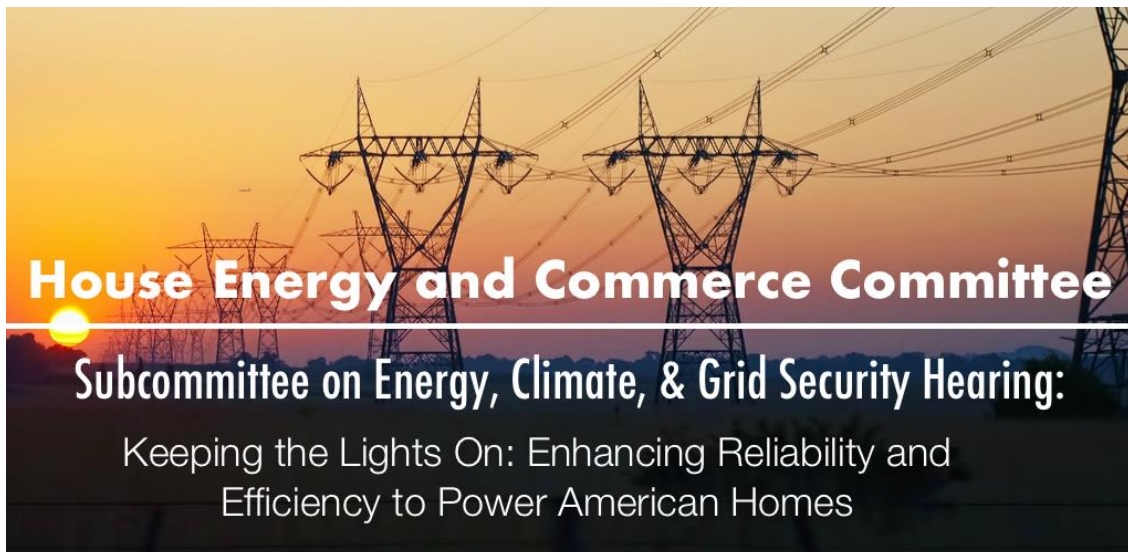
This Week in The News

Congress is returning to Washington, with the Senate resuming session this week and the House returning a week later. All eyes are on averting a government shutdown after current funding expires September 30. That's fewer than 16 legislative days to iron out significant issues within party caucuses and between the two chambers with the expectation that Congress will pass continuing resolutions to provide additional time to reach a bipartisan agreement into the fall. In addition, Senate leaders continue to hold discussions on permitting, energy, and production legislation. In this dynamic environment, 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

With Labor Day in the rear-view mirror, the Mayo Clinic urged: "[Think safety in fall as weather changes.](#)"

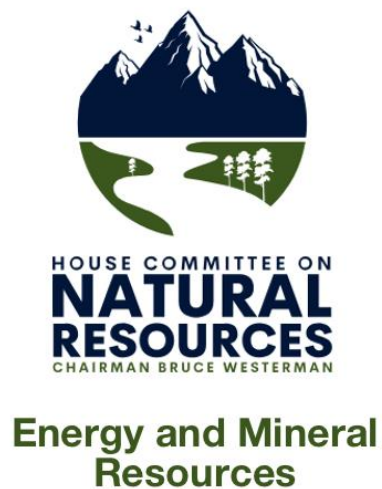
House To Hold Legislative Hearing on Grid Reliability



Today, the House Energy and Commerce Committee Chairwoman Cathy McMorris Rodgers (R-Wash.) [announced a legislative hearing](#) for Sept. 13 in the Subcommittee on Energy, Climate, & Grid Security, titled "Keeping the Lights On: Enhancing Reliability and Efficiency to Power American Homes." The agenda includes the consideration of the ["Guaranteeing Reliable Infrastructure Development Act,"](#) or the ["GRID Act,"](#) which allows the U.S. Federal Energy Regulatory Commission (FERC) to prevent the finalizing of any federal regulations until the Commission finds the regulation will not have

significant negative impact on the reliability and adequacy of the bulk-power system in North America. In July, Senate Environment and Public Works Committee Ranking Member Shelley Moore Capito (R-W. Va.) and Senate Energy and Natural Resources Committee Ranking Member John Barrasso (R-Wyo.) [requested](#) that the Commission convene a technical conference to evaluate the U.S. EPA’s new greenhouse gas proposed regulation on coal power plants. The [Commission agreed](#) and will hold a technical conference in early November. The new GRID Act introduction in the House is a result of multiple oversight hearings with witnesses from the NMA, grid reliability experts like Midcontinent Independent System Operator and PJM Interconnected, and the FERC Commissioners themselves testifying before the House and the Senate on the threats to electric grid reliability from overregulation from the EPA.

With Congress Back, House Plans New Mining Hearings



The House Subcommittee on Energy and Mineral Resources plans to hold an oversight hearing on the U.S. Geological Survey’s (USGS) [Critical Minerals](#)

[List](#) on Wednesday, Sept. 13. The hearing will discuss the USGS's selection criteria for the list, the list's ability to react to supply chain changes and challenges, the real-world impacts and necessary forecasting. Initial expected witnesses for the hearing will include [Rod Eggert](#), Viola Vestal Coulter Foundation Chair in Mineral Economics at Colorado School of Mines and Deputy Director of the Department of Energy's Critical Materials Institute, and [Reed Blakemore](#), Director of Research and Programs at the Atlantic Council. Additionally, the House Oversight and Accountability Committee plans to hold an oversight hearing also on Wednesday, September 13. The hearing will discuss the need for new domestic mining and barriers to production from permitting and litigation. We expect [Mining Minnesota Executive Director Julie Lucas](#) as one of the witnesses for the hearing. As always, the NMA will work with our mining industry partners testifying at these hearings and arm our allies on these key committees with material and information to further promote the domestic production and processing agenda in Congress.

Senate Energy and Natural Resources Committee to Hold Markup on Lands Package



The Senate Energy and Natural Resources Committee plans to hold a markup on September 21 to consider a package of lands bills that have received a hearing before the committee. Majority and minority committee staff are still in the process of determining what bills may be considered from public lands bills which have received hearings this year. As this process continues to unfold, the NMA is in close contact with committee staff and will provide the necessary industry feedback related to the legislation being considered based on input we have received from our previous update memos. Please let NMA's government affairs team know if there's a particular Senate public lands bill you may be following to coordinate our efforts.

NMA Joins Industry Allies in Urging EPA to Stay the Ozone Transport Rule Pending Ongoing Lawsuits

Last week, the NMA joined 10 industry allies in [filing](#) comments on a U.S. Environmental Protection Agency (EPA) [interim final rule](#) on the "Federal

'Good Neighbor Plan' for the 2015 Ozone National Ambient Air Quality Standards" (Ozone Transport Rule) that responds to judicial orders that stayed EPA's disapproval of state implementation plans (SIPs) for Arkansas, Kentucky, Louisiana, Mississippi, Missouri and Texas. EPA's federal implementation plan (FIP) requirements under the Ozone Transport Rule cannot be implemented in these states while the regional circuit courts address the merits of the SIP disapprovals. Accordingly, EPA took the administrative step of staying the effectiveness of the FIP requirements for these states and accepted comment on its approach. Our comments urge EPA to extend the interim final rule to an additional six states due to more recent judicial orders staying SIP disapprovals for Alabama, Minnesota, Nevada, Oklahoma, Utah and West Virginia. We also strongly recommend that EPA stay the Ozone Transport Rule in its entirety pending the disposition of ongoing lawsuits, given that only 11 percent of the anticipated emission reductions from electric generating units (EGU) and 40 percent from non-EGUs remain in effect as the result of the SIP disapprovals stays. The NMA recently filed our [non-binding statement of issues](#) and [paperwork](#) supporting our challenge to the Ozone Transport Rule in the U.S. Court of Appeals for the District of Columbia Circuit.

EPA Announces Additional WOTUS Webinars on Sept. 13 and Sept. 20



EPA and Army Corps of Engineers have scheduled two additional webinars to provide an overview of the recent changes to the agencies' definition of "waters of the United States." In addition to the Sept. 12 webinar that reached capacity within hours of the rule's release last week, the agencies have scheduled a webinar for Sept. 13, 2023, from 1-2 p.m. (Eastern) and Sept. 20, 2023, from 3-4 p.m. (Eastern). The links to register for these sessions are available [here](#). A summary of the NMA's initial review of the new rule is available [here](#).

EPA Seeks Information on Used Drum Management Reconditioning for Future Potential Rulemaking

EPA recently published an [advanced notice of proposed rulemaking](#) (ANPRM) requesting public comment on the potential development of non-regulatory and regulatory options for the management, recycling, reconditioning and disposal of drums and other containers that held hazardous chemicals or hazardous waste. EPA requests comment on possible regulatory changes under the Resource Conservation and Recovery Act (RCRA) that would impact used drum generators and transporters, drum reconditioners and drum end-of-life management facilities. Several of the proposed regulatory options could, if EPA pursued in a notice-and-comment rulemaking, impose additional compliance burdens and barriers to member companies that reuse drums and containers. Notably, EPA is requesting comment on whether to remove the empty container provision, which would impose full RCRA Subtitle C requirements on residues in drums from the point they are generated to the point that the drums no longer contain any residue. A more detailed summary of this ANPRM is available [here](#). Comments are due Nov. 22, 2023.

NMA Fall Board of Directors and Annual Members Meeting



Make your reservation for the NMA Fall Board of Directors and Annual Members Meeting now, which will be held Sept. 20-22, 2023, at the Conrad Washington, D.C. To register for the Board Meeting and the Member Reception, [please click here](#).

The meeting will begin Wednesday, Sept. 20, 2023, with the Manufacturers & Services Board of Governors Meeting. It will continue Thursday, September 21, 2023, with a great speaker line up, available [here](#). We will end the day Thursday with the NMA Member and Congressional Reception. Friday, Sept. 22, 2023 will be the NMA Board of Directors Meeting.

Note that the Room Block is now closed. If you are looking for a hotel room for the meeting, please contact [Katie Coon](#). Sponsorships are still available and, if you are interested in sponsoring an event, please [complete the form](#) and return it to [Katie Coon](#).

NMA and Third Parties In the News

Rich Nolan is quoted by [Pit & Quarry](#) in news on the EPA and the Department of the Army's final rule amending the 2023 definition of Waters of the United States (WOTUS) to conform with the Supreme Court decision in Sackett v. EPA.

From our third parties, the [Casper Star Tribune](#) (Wyo.) and [Wayne County News](#) (W.Va.) carries an op-ed by Matthew Kandrach, president of Consumer Action for a Strong Economy, a free-market advocacy organization, in which he argues the obvious alternative to EPA's extraordinarily dangerous plan is to focus on building and deploying new energy technologies and infrastructure before tearing down the power plants that currently underpin our system.

Mining and Energy News

[Greenwire](#) reported that a federal appeals court recently blocked the Forest Service's approval of a plan to fast-track exploratory drilling for gold on public lands in California.

[The Washington Post](#) carried an op-ed exploring our dependence on China for minerals.

[Kallanish](#) reported on recent data from the American Iron and Steel Institute (AISI) indicating that July steel imports were down 15 percent to 2.37 million tons. In addition, AISI's raw steel production for the week ending August 26 shows weekly production of 1.73 million tons, up 0.8 percent, while year-to-date production through the same week was down 1.9 percent to 58.1 million tons.

[**Reuters**](#) reported that copper may be poised to embark on a new energy transition super-cycle, but it is currently struggling to escape the gravitational pull of the old Chinese super-cycle. China has been the core driver of copper pricing over the last two decades as the country built new cities and rolled out the infrastructure needed to power them. Booming domestic demand for industrial metals was coupled with rising exports of manufactured products as China became the world's workshop.

[**Mining.com**](#) reported on predictions from the Colorado School of Mines' Walter Copan that the mining industry is facing a critical skills gap, compounded with the so-called 'grey tsunami' impending regarding the number of retirements anticipated. He is predicting retirement of more than half of the U.S. mining workforce over the next six years, "that's 221,000 workers that are expected to retire by 2029," Copan said.

[**MiningTechnology.com**](#) reported that Sweden has announced plans to lift the country's ban on uranium mining to make way for greater nuclear energy capacity. Sweden accounts for 80 percent of the European Union's uranium deposits.

[**Argus**](#) reported that Texas' main electric power grid operator called for voluntary power conservation last Tuesday on concerns that demand could outstrip supply.

[**Bloomberg**](#) published: "Lithium Players race for breakthrough to meet electric car demand. Dozens of firms aim to prove skeptics wrong as they push ahead with new lithium extraction methods."

[**Mining.com**](#) reported that researchers at the University of Illinois Urbana-Champaign developed a new coating for steam condensers used in fossil fuel steam-cycle generation that could boost the overall process efficiency by 2

percent.

[**Mining.com**](#) conducted an interview focused on artificial intelligence use in the coal industry.

[**S&P Global's**](#) recent analysis predicts that the Chinese government is likely to take more investment actions in the mining sector, which will raise the country's influence in critical minerals (especially cobalt and lithium) and the industries that rely on them.

[**Argus**](#) reported on Surface Transportation Board (STB) data showing that Western U.S. railroads BNSF and Union Pacific are delivering coal this month at a slower pace compared to last year.

[**Nasdaq**](#) reported from Reuters on new analysis by the Centre for Research on Energy and Clean Air (CREA) and the Global Energy Monitor (GEM) that China currently has 243 gigawatts of coal-based power capacity either approved or under construction, enough to power all of Germany.

[**Pittsburgh Post-Gazette**](#) reported on U.S. Steel's letter to shareholders stating that there were multiple credible bidders vying for US Steel, with offers ranging from complete takeover to proposals for part of the company.

[**Argus**](#) reported that Eastern U.S. railroad Norfolk Southern (NS) said it will take at least two weeks to sort out operations that went off-line late last month because of a technical problem related to the railroad's positive train control system (PTC) system.

[**Reuters**](#) reported that U.S. steel producer Cleveland-Cliffs Inc. said last week that it had reached a tentative agreement with the United Steelworkers (USW) union on a new 3-year labor agreement for its Northshore mining operations.

[**Argus**](#) reported coal generation in the PJM Interconnection is lower this month than it was in August 2022 following power plant retirements and a decrease in overall electricity dispatch into the grid.

[**Bloomberg**](#) reported dozens of firms aim to prove skeptics wrong as they push ahead with new lithium extraction methods.

[**Hellenic Shipping**](#) reported that the dry bulk market is benefitting from the increase of seaborne coal trade in Asia, with China increasing its imports considerably during the course of the year.

[**Mining.com**](#) reported that while the mining industry has plenty of reserves to tap, it faces a worrying shortage of young workers needed to get materials out of the ground.

[**Hellenic Shipping**](#) reported that U.S. dockworkers ratified a six-year contract that improved pay and benefits for 22,000 employees at 29 ports stretching from California to Washington state.

Commodity Prices

Commodity Price - Snapshot

Metals Prices	Date	Price
Cobalt Spot Price (\$/lb)	9/4/23	\$15.15
Copper Spot Price (\$/lb)	9/5/23	\$3.80
Gold Spot Price (\$/ounce)	9/5/23	\$1,931.80
Lead Spot Price (\$/lb)	9/4/23	\$1.02
Lithium Spot Price (\$/kg)	9/5/23	\$27.58
Molybdenum Spot Price (\$/kg)	9/4/23	\$58.75
Nickel Spot Price (\$/lb)	9/4/23	\$9.45
Silver Spot Price (\$/ounce)	9/5/23	\$23.54
Steel HRC Price (\$/mt)	9/5/23	\$684.09
Steel Rebar Price (\$/mt)	9/5/23	\$514.79
Zinc Spot Price (\$/lb)	9/5/23	\$1.12
Energy Prices	Date	Price
Coal Price - Australian Premium Coking Coal Futures (\$/mt)	9/5/23	\$272.67
Coal Spot Price - Central Appalachian (\$/st)	9/1/23	\$70.00
Coal Spot Price - Newcastle futures (\$/mt)	9/5/23	\$159.60
Coal Spot Price - Rotterdam futures (\$/mt)	9/5/23	\$119.35
Natural Gas Spot Price - Henry Hub (\$/mmbtu)	8/30/23	\$2.49
Uranium Spot Price (\$/lb)	8/28/23	\$58.50

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

CORESafety



In the September edition of CORESafety TV, we revisit Peabody and APT, going into detail on dust particle monitoring.



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