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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



It's a packed political week that includes a sitting president visiting picket lines of striking autoworkers, the second Republican presidential debate, a presidential impeachment inquiry hearing, all culminating with what appears (at this point) to be a government shutdown this weekend. 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

Every U.S. household may place an order to receive four free COVID-19 rapid tests delivered directly to your home. To sign up and access other COVID-19 information, [visit COVID.gov](https://www.covid.gov).

Senate Energy Committee Passes Bipartisan and Bicameral Mining School Act



Last week, the Senate Energy and Natural Resources Committee marked up and passed the NMA-backed bipartisan Mining Schools Act of 2022 (S. 912) out of committee by a unanimous bipartisan vote. Introduced by Senate Energy and Natural Resources Committee Ranking Member John Barrasso (R-Wyo.) and Chairman Joe Manchin (D-W.Va.), the bill requires the Department of Energy, in consultation with the Department of the Interior, to provide technology grants to strengthen domestic mining education and training programs. The NMA offered testimony for the record in support of S. 912, which can be found [HERE](#). The NMA will continue to advocate for passage of the S. 912 and its House-companion, H.R. 2685, as stand-alone bills or part of a larger package in addition to getting Congressional funding for mining education provisions already enacted through the CHIPS Act and working with new industry allies like University of Texas at El Paso (UTEP) President Heather Wilson, who addressed our board of directors meeting last week concerning the mining school vision she has for UTEP.

D.C. Circuit Denies Ozone Transport Stay; State Disapprovals Still on Hold

In a 2-1 decision, the U.S. Court of Appeals for the District of Columbia Circuit (D.C. Circuit) this week [denied](#) the requests by the [NMA](#), other industry allies and several states to stay the U.S. Environmental Protection Agency's (EPA) Ozone Transport Rule. The order from the court simply finds that "petitioners have not satisfied the stringent requirements for a stay pending court review." Of the three-judge panel reviewing the stay requests, judges Cornelia Pillard and J. Michelle Childs, both Democratic appointees, supported rejecting the stay requests, while Republican appointee Justin Walker said he supports staying EPA's rule. The D.C. Circuit's denial does not offer any verdict on the legality of the rule. The case will proceed with briefing on the merits over the next few months, with oral argument occurring in 2024.

The court's order also does not impact the successes obtained by the states in regional circuit courts. Currently, there are 12 stays in place on EPA's underlying state implementation plan (SIP) disapprovals. Where there are stays on the SIP disapprovals, the Ozone Transport Rule cannot take effect. In July, EPA first [amended](#) the Ozone Transport Rule on an interim basis to stay the rule's requirements for facilities in Arkansas, Kentucky, Louisiana, Mississippi, Missouri and Texas to comply with the regional circuit stay orders. Last week, EPA issued another [interim rule](#) to do the same for facilities in Alabama, Minnesota, Nevada, Oklahoma, Utah and West Virginia. Nearly 90 percent of the emissions limitations in the Ozone Transport Rule on power plants are blocked by these stays. For now, the more stringent ozone-season control program for power plants only applies to Illinois, Indiana, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia and Wisconsin.

Federal Permit Council Moves to Limit Mines Covered for Expedited Permitting

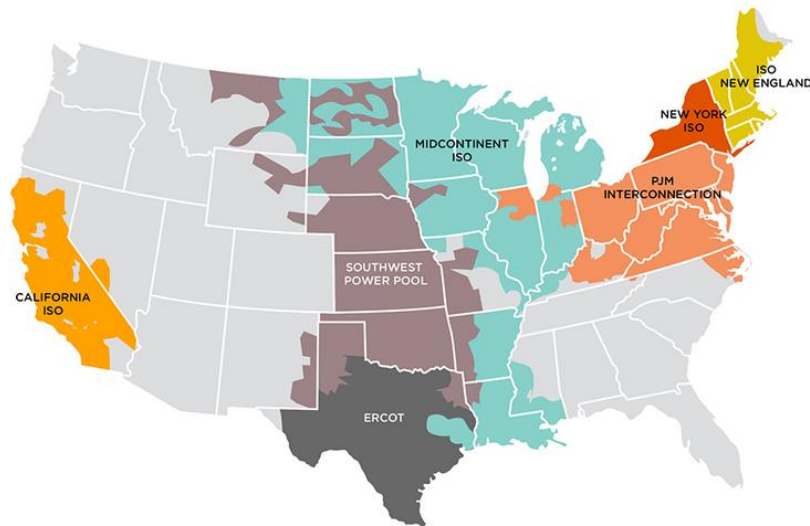
The Federal Permitting Improvement Steering Council (FPISC or Council) last week proposed to amend its existing regulations to limit mines eligible for the expedited permitting process available under the Fixing America's Surface Transportation Act (FAST-41). The proposal would limit eligibility to projects that involve so-called "critical minerals" as defined by USGS. The NMA opposes the move and will be preparing comments, which are due Oct. 23, 2023.

Senate Energy Committee Examines China's Control of Mineral Supply Chains



Tomorrow, the Senate Energy and Natural Resources Committee will hold a full committee hearing to examine opportunities to counter China's control of critical mineral supply chains. The committee will receive witness testimony from Tommy Beaudreau (Deputy Secretary of the Department of the Interior), Dr. Daniel Yergin (Vice Chairman of S&P Global) and Mark Compton (Executive Director of the American Exploration & Mining Association). The hearing is expected to cover next steps for mine permitting reforms, the need for continued access to mineralized federal lands, the administration's disjointed minerals policies including the Interagency Working Group on Mining Reform recommendations, and the prioritization of mineral imports over domestic sourcing. The NMA worked with committee and congressional staff ahead of the hearing to provide background information, talking points, and additional data to help prepare senators for a thorough and productive discussion. Please find a link to the hearing video and witness testimony [here](#). Following the hearing, the NMA will send out a memo detailing additional takeaways from the hearing.

House Energy and Commerce Committee to Hold Another Hearing on Grid Reliability to Hear from RTOs and ISOs



Tomorrow, the House Energy and Commerce Committee Energy, Climate and Grid Security Subcommittee is holding a [hearing](#) titled, "Powering America's Economy, Security and our Way of Life: Examining the State of Grid Reliability." The witnesses for the hearing include representatives from seven ISO/RTOs across the U.S., including PJM Interconnection (PJM), New York ISO (NYISO), Midcontinent ISO (MISO), ISO-New England, California ISO (CAISO), Southwest Power Pool (SPP) and Electric Reliability Council of Texas (ERCOT). The hearing comes as the House has held 21 hearings on grid reliability in recent months examining a wide range of issues, including the impact of weather events on the grid, the need for cybersecurity investments, the role of new technologies, and importantly, the effects of EPA regulations on grid reliability.

The hearing also comes just one week after the House Energy and Commerce Committee held a legislative hearing on the recently introduced [GRID Act](#), which would ensure that federal agencies cannot finalize regulations that are likely to have a significant negative impact on the reliability adequacy of the bulk-power system in North America without considering and responding to input from FERC and the relevant Electricity Reliability Organization (ERO) on such reliability impacts. The NMA advocated the importance of the GRID Act to

Members of Congress ahead of the hearing and will provide relevant updates following the hearing.

NMA Submits Comments on First National Nature Assessment

The NMA last week submitted [comments](#) on the U.S. Department of the Interior's (DOI) recently published [draft prospectus](#) detailing plans to engage in the [First National Nature Assessment](#) (NNA1). 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 NMA's comments support the intent to assess the knowledge regarding the status, observed trends and future projections of nature in the U.S. and consequences of changes. However, the NMA's comments stress that the mining industry is heavily engaged with natural resource management and analysis of environmental impacts, not only from a local perspective but regional perspectives, and urge the acknowledgement and inclusion of existing conservation initiatives by the mining industry in the NNA1. Recall, the NNA1 is in the early stages of development, with additional opportunities to engage before its anticipated release in 2026.

NMA Joins Coalition Comments on OMB's Draft Ecosystem Services Guidance

The NMA recently joined a broad industry coalition to file [comments](#) on the White House Office of Management and Budget's (OMB) [proposed guidance](#) for federal agencies assessing ecosystem services in benefit-cost

analyses for regulatory actions. If finalized as proposed, the draft guidance could change the way federal agencies value and consider changes in environmental benefits, or “ecosystem services,” and their corresponding human welfare impacts in benefit-cost analyses for regulatory actions. The coalition comments make numerous procedural and substantive recommendations. Importantly for the mining industry, the coalition comments expressed concern that the draft guidance could be used to unfairly characterize regulatory actions involving mining as having only negative impacts on the environment and human welfare, while ignoring the positive benefits of mining and access to affordable, reliable energy.

NMA and Third Parties In the News

[Fox News](#) quotes Rich Nolan in a report that the Biden administration is attempting to curb U.S. coal mining at the expense of energy security and American independence, pushing energy prices higher as the U.S. power grid is still heavily reliant on coal, natural gas and petroleum.

[Fox News](#) also ran a full interview with Rich Nolan on the detrimental impacts of EPA regulations.

[Washington Times](#) (D.C.) ran an op-ed by Rich Nolan in which he argues the U.S. must build secure, responsible supply chains at home.

[MSN.com](#) (USA), [Yahoo News](#) (USA), [Times Leader](#) (Ind.), [Reno Gazette Journal](#) (Nev.), [Frankfort State Journal](#) (Ky.), [Lincoln Journal](#) (W.Va.), [Williamson Daily News](#) (W.Va.), [Logan Banner](#) (W.Va.), [Coal Valley News](#) (W.Va.), [The Bryan Times](#) (Ohio), [New Castle News](#) (Pa.), [Mesabi Tribune](#) (Minn.), [Greeley Tribune](#) (Colo.), [Wilkes Barre Times Leader](#) (Pa.), [The Cap Times](#) (Wis.), [Massillon Independent](#) (Ohio), [Alliance Review](#) (Ohio),

[Canton Repository](#) (Ohio), [Wayne County News](#) (W.Va.), [Clermont Sun](#) (Ohio), [Bakersfield Californian](#) (Calif.), [Florence Times Daily](#) (Ala.), [Fairbanks Daily News Miner](#) (Alaska), [Elko Daily Free Press](#) (Nev.), [Salem News](#) (Ohio), [East Liverpool Review](#) (Ohio), [Lisbon Morning Journal](#) (Ohio) and [Clearwater Progress](#) (Idaho) all ran an op-ed by Rich Nolan in which he argues mining offers employment opportunities for Generation Z.

[Axios](#) spoke with Katie Sweeney on mining.

[Axios](#) quotes Katie Sweeney in a story noting that mining schools might get a big boost this Congress in a move aimed to ensure that progress continues on domestic mining.

The [Senate Committee on Energy & Natural Resources](#) quotes the NMA in a report on the Mining Schools Act of 2023.

[Politico Pro](#) quotes the NMA in a story noting that the State Department has been meeting with officials and companies in Africa to better compete with China for critical minerals needed for electric vehicles and other energy technologies crucial to the Biden administration's clean energy policy, according to a senior administration official.

The NMA is quoted by the [Pittsburgh Tribune-Review](#) on black lung and the silica dust standard.

[E&E Greenwire](#) quotes the NMA in coverage of the Biden administration's move to narrow the kind of mines that are eligible for fast-tracked federal permitting on Thursday, saying ones that are deemed critical by the Interior Department can apply.

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 pursuing a policy of boosting U.S. mining — and breaking China’s grip on the production of metals essential for our clean energy transition — should be a no-brainer.

[**The Eastern New Mexico News**](#) (N.M.) carries an op-ed by Jim Constantopoulos, a geology professor at Eastern New Mexico University, in which he argues new mines are essential to combat reliance for foreign minerals.

Mining and Energy News

[**Washington Times**](#) reported that “In the global minerals race, the U.S. is critically outmatched. Our challenge is not geology; the U.S. has vast mineral resources. Rather, it is policy — namely, a duplicative and painfully obstructive permitting process. Yet instead of reducing barriers to ramp up domestic mineral production and address our alarming reliance on mineral imports, the Administration is proposing to raise a host of new ones.”

[**Argus**](#) reported coal power generation in the Electric Reliability Council of Texas (ERCOT) rose last month, but still paled in comparison to natural gas and renewable power as overall electricity demand surged.

[**Mining.com**](#) reported that a group of U.S. geologists may have found what they believe to be the world’s largest lithium reservoir inside an ancient super-volcano sitting along the Nevada-Oregon border.

[**The Wall Street Journal**](#) reported that “As OPEC’s influence wanes, China’s minerals clout rises. But geography and innovation mean cobalt, lithium and copper can never be weaponized as effectively as oil and gas.”

Energywire reported that Michigan's Palisades nuclear plant has a new deal with Holtec International Corp. aimed at helping it complete an unprecedented return to service, though hurdles remain.

Argus reported that coal power demand will decrease by nearly 23 percent this year to 637 billion kWh, according to EIA's September Short-term Energy Outlook. However, that is an increase from the 633 billion kWhs of power projected in last month's outlook. EIA attributes the upward adjustment to hotter than anticipated summer weather.

Kallanish reported that the German economic downturn may have a strong impact on the European steel industry and economic performance.

Argus reported that the continued retirement of U.S. coal generating plants and higher natural gas power could lead to an increase in power volatility, an analyst with ConocoPhillips said at a recent Midcontinent LDC Gas Forum in Chicago.

The **World Nuclear Association's** latest nuclear fuel report published last week projects that global nuclear gigawatts electric capability (GWe) will reach 686 of operable nuclear capacity by 2040, up 71 GWe from the 2021 report. Growth is attributed to greater interest in decarbonization, energy security and small modular reactors.

Kallanish reported that the U.S. Department of Defense signed an agreement with Talon Nickel to increase domestic production of nickel and strengthen the resilience of critical supply chains.

Visual Capitalist graphically describes the world's electric power fuel sources in 2022, showing coal as the leading source representing 35 percent of generation.

[Kallanish](#) reported that “A looming global shortage of coking coal supply is being exacerbated by problems with investing in new mining capacity. If supply does not pick up, coking coal markets could break,” according to Mark Bolton, general manager for marketing and logistics at Jellinbah Group.

[Mining.com](#) reported “Global demand for silver will decline by 9.4 percent this year largely due to a drop in investment, but the market will maintain a deficit,” according to a report from Chilean state agency Cochilco.

[Axios](#) reported that mining schools might get a big boost this Congress in a move aimed to ensure that progress continues on domestic mining. Hard-rock mining has a serious workforce shortage problem, with one recent **[survey](#)** finding 71 percent of mining industry leaders believe that's holding them back from delivering on production targets and strategic objectives.

[Power Engineering](#) reported that Petra Nova, the only commercial-operational, large-scale project in the U.S. to capture carbon dioxide from a coal power plant and pump it underground, has been restarted.

[The Wall Street](#) Journal reported that the United Auto Workers union, for the first time ever, began strikes against all three Detroit automakers at factories in Missouri, Ohio and Michigan after failing to clinch new labor deals.

[Mining.com](#) reported mining merger and acquisition (M&A) activity is heading towards a decade high this year and is set to continue in to 2024, according to Fitch Ratings analysis.

[Goldman Sachs](#) reported on the geopolitics of critical mineral supply chains.

[Mining.com](#) reported that uranium is officially in a bull market with a 20

percent rise in price so far in 2023, vastly outperforming other metals markets.

[**Kallanish**](#) reported that cumulative steel demand for the energy transition between 2022 and 2050 will be almost 5 billion metric tons, accounting for 75 percent of total material requirement. That compares to 8 billion of annual global demand today, according to the Energy Transitions Commission (ETC).

[**Mining Magazine**](#) reported that when considering the energy transition, an image of solar panels, wind turbines or nuclear reactors may come to mind. However, copper is the one metal all those energy sources have in common, according to the International Energy Agency (IEA).

[**Mining.com**](#) reported on a paper published in the Journal of Material Chemistry showing that silver and sulphur-containing amino acids are the main components of a new antibacterial gel that is said to be a hundred times more effective than similar products.

[**Argus**](#) reported that coal exports out of Hampton Roads, Virginia, reached their highest level in more than four years last month, in part because of a shift in the timing of vessel departures and arrivals.

[**Greenwire**](#) presents a Q&A from Lithium Americas CEO, Jonathan Evans, on the difficulty of lithium mining in the U.S.

[**Energywire**](#) reported that the world's largest mining company, Rio Tinto, is actively looking to grow in lithium, a key ingredient to make batteries for electric vehicles.

[**Mining.com**](#) reported that the U.S. government is proposing to ban mining and oil drilling in northern New Mexico for up to 50 years, as part of the administration's ongoing efforts to protect Native American lands and promote responsible mining in public grounds.

Energywire reported that due to increasing power demand, France may have to keep its last two coal plants on hand to ensure supply security. “If nuclear output falls short, renewables don’t ramp up massively and efforts to manage consumption don’t improve, coal plants may have to be on standby.”

The **World Gold Council** announced last week that its members, who represent the majority of global large scale gold mining, have committed to providing enhanced transparency in the gold supply chain.

The **Society for Mining, Metallurgy & Exploration**’s (SME) Mineral Education Coalition (MEC) 2023 “Minerals Baby” shows that an American born this year will need 3.07 million pounds of minerals, metals and fuels in their lifetime.

The **U.S. Department of Energy**’s Advanced Materials & Manufacturing Technologies Office (AMMTO) announced that it intends to use \$10 million of its base funding to establish a Critical Materials Accelerator research and development Funding Opportunity Announcement (FOA).

Argus reported that so far this quarter coal production in the U.S. has fallen, with market conditions and geological issues lowering output from western states.

The **International Energy Agency** (IEA) reported that India plants to add 40 percent more thermal coal power capacity. They plan to add another 25-30 gigawatt (GW) thermal power on top of 49 GW coal-based units under construction, the country is set to burn 292 million metric tons (MT) more coal annually on completion of these projects.

Argus reported that Russia is introducing duties on steel products in a range of 4-7 percent on exports outside of the Eurasian Economic Union from October 1.

The [World Steel Association's](#) recent monthly data for August estimates that world crude steel production was 152.6 million metric tons (Mt), a 2.2 percent increase compared to August 2022.

Commodity Prices

Commodity Price - Snapshot		
Metals Prices	Date	Price
Cobalt Spot Price (\$/lb)	9/26/23	\$15.15
Copper Spot Price (\$/lb)	9/27/23	\$3.60
Gold Spot Price (\$/ounce)	9/27/23	\$1,874.77
Lead Spot Price (\$/lb)	9/26/23	\$1.00
Lithium Spot Price (\$/kg)	9/27/23	\$23.18
Molybdenum Spot Price (\$/kg)	9/26/23	\$55.63
Nickel Spot Price (\$/lb)	9/26/23	\$8.44
Silver Spot Price (\$/ounce)	9/27/23	\$22.47
Steel HRC Price (\$/mt)	9/27/23	\$790.91
Steel Rebar Price (\$/mt)	9/27/23	\$499.51
Zinc Spot Price (\$/lb)	9/27/23	\$1.12
Energy Prices	Date	Price
Coal Price - Australian Premium Coking Coal Futures (\$/mt)	9/26/23	\$320.00
Coal Spot Price - Central Appalachian (\$/st)	9/22/23	\$70.00
Coal Spot Price - Newcastle futures (\$/mt)	9/27/23	\$160.61
Coal Spot Price - Rotterdam futures (\$/mt)	9/26/23	\$124.00
Natural Gas Spot Price - Henry Hub (\$/mmbtu)	9/20/23	\$2.77
Uranium Spot Price (\$/lb)	9/25/23	\$70.00

Sources: publicly 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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