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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 Congress out of session and the campaign trail dominating the headlines, the gears of regulation and litigation continue to grind. The National Mining Association (NMA) remains focused on actively engaging to advance mining's interests at both ends of Pennsylvania Avenue, while also preparing for the kick-off of MINExpo INTERNATIONAL® 2024 which is right around the corner. Plus, we have updates on how the mining and energy markets are faring.

Safety Share

U.S. Department of Health and Human Services has produced a handy “[Healthy Home Checklist](#)” that gives room by room instructions on what to look for to improve safety.

BLM Releases New Implementation Initiatives for the Public Lands Rule



Last week, the Bureau of Land Management (BLM) [announced](#) several next steps and initiatives to implement its final [Conservation and Landscape Health Rule](#) (also known as the Public Lands rule) that was finalized in April 2024. Recall, the Public Lands Rule significantly overhauls the way the BLM manages federal lands under the Federal Land Policy and Management Act (FLPMA). Among the initiatives, the BLM announced the intent to develop a federal advisory committee (committee) to advise on the Public Lands rule and several guidance documents intended to support clear and consistent implementation of the Public Lands rule.

The BLM also released four Instruction Memoranda (IMs), two Manuals and an Information Bulletin (IB) to help provide policy direction while BLM continues to hear from and work with stakeholders and partners to determine best practices and additional guidance that may be necessary in the future. The guidance documents provide additional information on implementation of restoration and planning, watershed condition assessments, land health standards, restoration mitigation leasing, areas of critical environmental concern, inventory and

monitoring of ecological resources, and land use planning under the Public Lands rule.

NMA Coalition Files Surreply in Texas WOTUS Litigation



Last week, the NMA’s industry coalition and the states of Texas and Idaho filed a [surreply](#) in the litigation challenging the U.S. Environmental Protection Agency’s (EPA) and U.S. Army Corps of Engineers (Corps) “waters of the United States” (WOTUS) rule in the Southern District of Texas. The coalition’s surreply addressed relevant judicial decisions and agency actions that occurred after we filed our last briefs on June 17, 2024. Specifically, our surreply made three main points. First, it explained how the rule is entitled to neither deference nor respect under the U.S. Supreme Court’s recent decision in [Loper Bright](#), which overturned the *Chevron* doctrine. Second, the surreply clarified how the recent [White v. EPA](#) decision, which is the first enforcement case interpreting the amended WOTUS rule, misunderstands *Sackett* and contradicts Fifth Circuit precedent. In *White*, the U.S. District Court for the District of North Carolina incorrectly denied the landowner’s motion for a preliminary injunction, finding that the WOTUS Rule “faithfully conforms to the definition of [WOTUS] as interpreted by *Sackett*.” Finally, the surreply highlighted the agencies’ continued claims of vast jurisdictional reach far beyond what *Sackett* permits, and points to the recent policy/field memoranda regarding specific approved jurisdictional determinations as examples of overreach. The agencies have until

Sept. 6, 2024, to file a 10-page response. The coalition plans to file a similar surreply in the North Dakota litigation.

NMA Files Comments on EPA's Disapproval of North Dakota's Regional Haze State Implementation Plan

The NMA last week filed [comments](#) on the EPA's [proposal](#) to partially approve and partially disapprove the regional haze state implementation plan (SIP) revision submitted by the State of North Dakota for the second implementation period. The NMA has been monitoring EPA's actions implementing the regional haze program to identify an opportunity for the association to engage in this process. EPA's recent decision on North Dakota's SIP is the first opportunity appropriate for the NMA's engagement given future impacts to the coal plants in the state if the agency's disapproval stands. The NMA opposes EPA's proposal because it represents an overreach of the agency's limited authority under the Clean Air Act visibility provisions by disapproving a lawful and reasonable state plan that includes all measures necessary to make reasonable progress in improving visibility in national parks and wilderness areas. Specifically, the NMA argues that EPA: (1) mischaracterizes "visibility" as a "non-statutory" factor; (2) ignores North Dakota's cost-effectiveness analysis; (3) incorrectly asserts that states cannot use visibility modeling to "outweigh" the four-factor analysis; (4) unlawfully ignores North Dakota's responses to its comments on visibility; and (5) incorrectly asserts that North Dakota's SIP treats the uniform rate of progress as a "safe harbor." Given these errors, the NMA asks EPA to withdraw its proposal and approve the state's plan.

Country Roads Leading to Answers



• WEST VIRGINIA COAL ASSOCIATION •

On August 9th, NMA President and CEO, Rich Nolan, spoke to the annual West Virginia Coal Association Annual Membership Meeting in Lewisburg, W.Va. and provided an update on the electricity production crisis facing the country. The meeting brought together stakeholders from across the country to discuss the shared challenges producers, consumers and businesses face under current circumstances as well as the upcoming November elections. Other speakers addressing the group included Senator Shelley Moore Capito (R-W.Va.), Governor Jim Justice (R-W.Va.), Congresswoman Carol Miller (R-W.Va.), Congressman Morgan Griffith (R-Va.), Congressman Mike Carey (R-Ohio) as well as WV Treasurer Riley Moore and WV Auditor J.B. McCuskey. West Virginia Coal Association President Chris Hamilton led the meeting and detailed remarks were provided by producer CEOs Mike Day of Eagle Forge Services and Justin Thompson of Iron Synergy.

Western Caucus Foundation Hosts Public Lands Policy Forum



Last week, the Western Caucus Foundation (WCF) hosted its [Summer Western Field Tour and Policy Meeting](#) in Jackson, Wyo. Members of Congress, congressional staff and WCF stakeholders heard from panelists, including Uranium Energy Corporation’s Scott Melbye, about industry perspectives on the Biden Administration’s “attacks on the West.” Discussions included permitting, Endangered Species Act reforms, public land access and use. Rep. Harriet Hageman (R-Wyo.) also criticized the Biden Administration’s proposed Buffalo Resource Management Plan (RMP) to end new federal coal leases in Wyoming and Montana. Attendees also heard from Governor Mark Gordon (R-Wyo.) about the abundant mining and energy production opportunities in the state as well as from former EPA Administrator, Andrew Wheeler, about how a future administration might go about undoing Biden administration policies. There were more than 120 total attendees, including Senators Cynthia Lummis (R-Wyo.), Pete Ricketts (R-Neb.) and Deb Fischer (R-Neb.) as well as Representatives Harriet Hageman (R-Wyo.), Adrian Smith (R-Neb.), Jodey Arrington (R-Texas), Brian Babin (R-Texas), Ron Estes (R-Kan.), Scott Fitzgerald (R-Wis.), Darrell Issa (R-Calif.), Nicole Malliotakis (R-N.Y.), Ralph Norman (R-S.C.) and Greg Steube (R-Fla.).

NMA Team Conducts Site Visit for MINExpo® INTERNATIONAL 2024



NMA team members Rich Nolan, Katie Sweeney, Katie Coon, Ashley Burke, Roger Roberts and Mike Zabko this week traveled to Las Vegas to ensure all work is progressing at pace to ensure a successful MINExpo® later next month. The team met with on site experts from the events, sales, security, concessions, creative, maintenance, and transportation and logistics teams to discuss all aspects of the show. They also conducted a full walk through of each Convention Center hall – including those areas under construction – and visited the lots where exhibitors are hard at work assembling some of the larger equipment that will be on display.

With 850,000 sq ft sold, 2,000 exhibitors and registrations looking to meet if not exceed the 40,000 we welcomed in 2016, this year’s show will be a record breaker by every measure.

Video advertising opportunities are still available on NMA TV—our new streaming platform, which will help bring MINExpo to the rest of the world—so book your space now. For questions on the opportunities available, contact [Katie Coon](#). And, of course, make sure you [register in advance for the show!](#)

Get Your Spot for MINExpo INTERNATIONAL® 2024

MINEXPO®

**20
24** | **SEPTEMBER 24-26, 2024**
LAS VEGAS, NEVADA, USA

MINExpo INTERNATIONAL®, the world's largest (and heaviest) mining event, will bring over 10 million pounds of equipment, products and technology to Las Vegas, Sept. 24-26, and [registration and housing are open!](#) Choose from our new registration options that make it easy to attend, book your hotel room, then join your peers and 1,500+ suppliers from all over the world at the home of mining innovation.

The NMA will be livestreaming from the show floor this year with a new marketing offering: **NMA TV – book your TV time today!** Learn more [here](#).

To attend MINExpo, act fast! ALL ACCESS and EXPO PLUS registration options are limited. Please note, you MUST use your company email in order to receive discounted pricing. **Once you have registered, you will receive access to the hotel booking site.**

[RESERVE NOW!](#)

NMA and Third Parties In the News

The NMA is mentioned by [Law 360](#) in a story noting that the D.C. Circuit refused to stay the U.S. EPA's new rule tightening mercury and other toxic metal emission standards for some coal-fired power plants as a legal challenge filed by states and industry groups plays out.

The NMA is quoted by [E&E Greenwire](#) in a story on the Biden administration's proposal to limit which federal lands in North Dakota can be used for coal mining and oil and gas production in the coming decades, deepening a fight with the state's Republican senators and the mining industry.

[For Constructions Pros](#) reports on MINExpo INTERNATIONAL® 2024.

Mining and Energy News

[E&E Greenwire](#) reports White House climate adviser John Podesta suggested Tuesday that permitting legislation could come together on Capitol Hill after the November elections.

[Power Engineering](#) reported on a McKinsey & Company case study demonstrating improved efficiency and emissions using machine-learning technology (AI) at the Martin Lake Coal Plant in Texas.

[Energywire](#) reported that Australia has about one third of all global uranium ore deposits but only two of the nation's states and territories allow the mining of it. Explorers are calling on the government to lift bans as demand is set to surge long-term. The U.S. purchased about 22 percent of its reactor uranium

from Australia in 2023, according to EIA data.

[Argus](#) reported that the Energy Department is awarding \$2.2 billion for new electric transmission lines and upgrades to help bolster the reliability of the grid.

[Kallanish](#) reported that US Steel plans to be acquired by Nippon Steel by the end of this year.

[Politico Pro](#) and [Washington Examiner](#) reported on Tim Walz's history towards climate, including his mining record.

[Hellenic Shipping](#) reported that Chinese and Indian coal imports continue to defy trade expectations according to IEA's recent Coal Mid-Year Update.

EIA's recent [Today in Energy](#) highlights first quarter 2024 growth in U.S. production of uranium oxide, with uranium miners producing more than 82,000 pounds of uranium concentrate, more than in all of 2023. Additionally, domestic uranium mines produced 50,000 pounds of triuranium octoxide (U_3O_8), also called uranium concentrate, in 2023, a significant decrease from the 194,000 pounds produced in 2022 because the White Mesa mill was not producing in 2023.

[Energywire](#) reported that "utility CEOs are updating Wall Street on eye-popping electricity demand growth numbers driven by an explosion of data centers. And investors and consumers alike are asking: What does it mean for them?"

[Kallanish](#) reported on Macquarie analysis indicating that the copper market has moved to surplus sooner than expected and could remain there until 2026.

The [administration](#) announced last week the Department of Energy's

investment of \$10.2 million for four projects to develop new and alternative supplies of minerals and materials.

[Kallanish](#) reported that Canadian's steel and aluminum industries are urging their government to take preemptive action against Chinese imports entering the country.

[Visual Capitalist](#) graphically describes capital expenditure (capex) requirements for raw mineral materials and battery components to build capacity to meet future battery demand by 2030 and 2040.

[Greenwire](#) reported that Democratic vice-presidential nominee, Tim Walz, treads lightly on mining resource-rich Minnesota. "When it comes to mining for minerals such as copper and nickel, Walz has walked a tightrope with President Joe Biden and other Democrats: wanting to protect the environment while promoting economic development and securing resources necessary for the energy transition — without relying on imports from countries such as China."

Commodity Prices

Commodity Price - Snapshot

Metals Prices	Date	Price
Cobalt Spot Price (\$/lb)	8/12/24	\$12.02
Copper Spot Price (\$/lb)	8/13/24	\$4.03
Gold Spot Price (\$/ounce)	8/13/24	\$2,467.75
Lead Spot Price (\$/lb)	8/13/24	\$0.90
Lithium Spot Price (\$/kg)	8/12/24	\$10.68
Molybdenum Spot Price (\$/kg)	8/13/24	\$66.31
Nickel Spot Price (\$/lb)	8/13/24	\$7.43
Silver Spot Price (\$/ounce)	8/13/24	\$27.72
Steel HRC Price (\$/mt)	8/13/24	\$674.24
Steel Rebar Price (\$/mt)	8/13/24	\$404.85
Zinc Spot Price (\$/lb)	8/13/24	\$1.22
Energy Prices	Date	Price
Coal Price - Australian Premium Coking Coal Futures (\$/mt)	8/13/24	\$212.00
Coal Spot Price - Central Appalachian (\$/st)	8/9/24	\$75.00
Coal Spot Price - Newcastle futures (\$/mt)	8/12/24	\$146.67
Coal Spot Price - Rotterdam futures (\$/mt)	8/13/24	\$122.85
Natural Gas Spot Price - Henry Hub (\$/mmbtu)	8/7/24	\$1.99
Uranium Spot Price (\$/lb)	8/12/24	\$81.50

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

CORESafety



In the August edition of CORESafety TV, we cover a broad overview of the CORESafety system.



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