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MINE Update

MINING INDUSTRY NEWS E-COMM UPDATE

Issue 1 | January 8, 2025

Brought to you by the National Mining Association

This Week in The News

Washington, D.C. began the new year with an eventful week featuring re-election of the House Speaker, a certification of the presidential election and funeral services for former President Jimmy Carter. With Senate confirmation hearings beginning next week and inauguration day less than two weeks away, planning for the next administration kicked into a higher gear. The National Mining Association (NMA) remains focused on actively engaging to advance mining's interests at both ends of Pennsylvania Avenue and with the transition. Plus, we have updates on how the mining and energy markets are faring.

Safety Share

January is National Radon Action Month. The U.S. Environmental Protection Agency can help you [find a radon test kit](#).

House Reelects Speaker Mike Johnson



On January 3, the U.S. House of Representatives reelected Mike Johnson (R-La.) Speaker of the House in the 119th Congress on the first ballot. 218 Republicans voted for Johnson, while all 215 Democrats voted for Rep. Hakeem Jeffries (D-N.Y.). Rep. Thomas Massie R (R-Ky.) was the lone Republican not to vote for Speaker Johnson. NMA CEO Rich Nolan's statement congratulating the Speaker on his reelection can be found [here](#).

Senate Majority Leader John Thune (R-S.D.), Senate Minority Leader Chuck Schumer (D-N.Y.), and House Minority Leader Hakeem Jeffries (D-N.Y.) round out the leadership of the 119th Congress.

Additionally, the Senate and House finalized the committee leadership selections for the 119th Congress last month. A list of Chairs and Ranking Members can be found [here](#).

NMA Welcomes the New Congress



On January 3, the 119th Congress was sworn in. The NMA was there attending numerous swearing-in parties for members of Congress, senators and congressional leadership, and hosted an event for the new Republican Senator from Ohio, Bernie Moreno. Senator Moreno was joined by Senate Republican Whip John Barrasso (R-Wyo.) and Senator Shelley Moore Capito (R-W.Va.). In addition to hosting Senators Moreno, Barrasso and Capito, the NMA team attended events and met with Senator Tim Sheehy (R-Mont.), House Republican Whip Tom Emmer (R-Minn.), Senator John Curtis (R-Utah), Senator Jacky Rosen (D-Nev.), Rep. Harriet Hageman (R-Wyo.), Rep. Doug LaMalfa (R-Calif.), Rep. Brad Finstad (R-Minn.), Senator Deb Fischer (R-Neb.), Rep. Pete Stauber (R-Minn.), Rep. Nick Begich (R-Alaska), Rep. Aaron Bean (R-Fla.), Rep. Jeff Crank (R-Colo.), Rep. Dan Newhouse (R-Wash.), Rep. Kim Schrier (D-

Wash.), Rep Henry Cuellar (D-Texas), Rep. Angie Craig (D-Minn.), Rep. Marie Gluesenkamp Perez (D-Wash.), Rep. John James (R-Mich.) and Rep. Rob Wittman (R-Va.), among others.

The NMA congratulates all the members of the 119th Congress.

Congress Certifies Trump Election



Congress officially certified President-elect Donald Trump's election on Monday. In a joint session of Congress, the Electoral College votes were read aloud and then certified. This is the last official step before Trump is sworn in as the 47th President of the United States of America on January 20.

If you are coming to town for the inauguration, don't forget to RSVP for the NMA's reception on the 20. For security reasons, please RSVP no later than tomorrow, Thursday, January 8.

[RSVP](#)



Senate Committees Kick-off Nomination Hearings for Trump Cabinet

Next week, Senate committees will begin confirmation hearings for President-elect Trump's cabinet. Already scheduled for next week are, among others, hearings before the Committee on Armed Services for Secretary of Defense nominee Pete Hegseth, and the Committee on Energy and Natural Resources for both the nominee to be Interior Secretary, Gov. Doug Burgum, and the nominee for Energy Secretary, Chris Wright. Also, the Committee on Environment and Public Works plans to hold a hearing on Hon. Lee Zeldin, the nominee to head the Environmental Protection Agency. In addition, the Committee on Agriculture plans to hold a hearing on Brooke Rollins, the nominee to be Secretary of Agriculture. Senate Republicans are hoping to have many of Trump's cabinet members confirmed by the Senate by the time he takes the oath of office on January 20.

A complete list of Trump administration cabinet nominee hearing dates can be found [here](#).

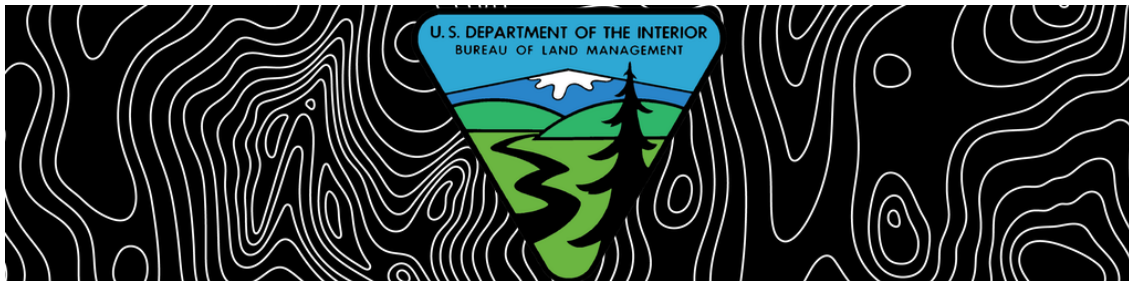
NMA Files Brief Supporting Challenge to OSMRE's Ten Day Notice Rule

On Dec. 23, 2024, the NMA filed an [amicus brief](#) supporting a state coalition challenge to the Office of Surface Mining Reclamation and Enforcement's (OSMRE) final rule regarding [Ten-Day Notice](#) (TDN) under the Surface Mining Control and Reclamation Act (SMCRA). As summarized [here](#), this rule significantly eroded state primacy under SMCRA and makes it easier for citizens to file complaints to OSMRE about coal mining. Overall, our brief argued that the TDN rule is "an unlawful expansion of agency authority and a fundamental threat to the surface mining industry's ability to operate effectively under SMCRA's cooperative federalism framework." More specifically, we assert the rule: (1) unlawfully transforms TDN from a compliance tool into a punitive mechanism against operators who follow state law; (2) unlawfully creates a new federal channel for collateral attacks on state decisions; and (3) violates basic requirements of reasoned decision-making in reversing longstanding policy.

Last year, a coalition of 14 states and state agencies, led by the state of Indiana, filed a [petition](#) for judicial review challenging OSMRE's final rule. See the NMA's memorandum summarizing the states' claims [here](#). The states also filed a [motion](#) for preliminary injunction or a stay of the rule, which the U.S. District Court for the District of Columbia [denied](#) on Dec. 24, 2024. The court found that the states failed to demonstrate irreparable harm arising out the alleged intrusion on their sovereignty, or that their claimed injury due to increased burdens on state regulatory authorities is imminently impending

and irreparable. The court also found that “claimed injuries from potential adverse impacts on the states, their industry, and citizens, caused by anticipated delays in issuing permits, is too speculative to support a claim of irreparable harm.”

Wyoming Resource Management Plan Approved



This week, the BLM published the [notice of availability](#) of its record of decision (ROD) and approved resource management plan (RMP) for its Rock Springs Field Office in Wyoming. The publication formally concludes the Rock Springs RMP planning process. Recall that the NMA [protested](#) the RMP due to its closure of nearly 760,000 acres to federal coal leasing and more than 900,000 acres to mining operations under the Mining Law. Additionally, the NMA opposed the RMP designations of more than 900,000 acres as areas of critical environmental concern, which are frequently managed to prevent resource development. The state of Wyoming has already indicated plans to litigate the final RMP. Simultaneously, Representative Harriet Hageman (R-Wyo.) intends to reintroduce legislation this Congress to block the RMP.

FWS Finalizes Plan to Expand Boundary of the Okefenokee National Wildlife Refuge



After reviewing 30,000 public comments in just three weeks, the U.S. Fish and Wildlife Service (FWS or the Service) finalized its plan to expand the boundary of the Okefenokee National Wildlife Refuge (Refuge) in southeast Georgia, adding 22,000 acres adjacent to the existing Refuge, and explicitly including the footprint of a proposed mining project. The Service contends that the boundary expansion will enable it to work with willing landowners to explore voluntary conservation actions, including potential acquisition, that would further protect the Refuge's wetland system and wildlife habitat. More information about the Service's decision, including a press release, a Frequently Asked Questions document, and an Environmental Action Statement, is available [here](#).

Recall the NMA has been actively monitoring the developments related to the Refuge for several months because it sets a bad precedent and provides a new avenue for the Department of the Interior (DOI) to stop other mining projects nationwide. The action appears to support a broader administration-wide strategy to use any means necessary to restrict development adjacent to units of the National Wildlife Refuge System. In response to the proposed expansion, the NMA filed [mining-specific comments](#) expressing grave concern with the Service's approach in the Refuge expansion as part of an ongoing pattern by

the DOI to overreach its legal authority to place federal lands off limits to mining operations under the guise of protecting federal lands. In addition to filing mining-specific comments, the NMA also formed a coalition of 10 national and state trade associations to file [comments](#) opposing the Service's approach and highlighting the harmful precedent these actions could have on the U.S. economy and broader business community, including the agriculture, construction, energy, forestry, manufacturing and mining sectors.

FWS Withdraws Rulemaking on Biological Integrity, Diversity and Environmental Health in Refuge System

Recently, the Service formally [withdrew](#) its [proposed rule](#) and [policy revisions](#) aimed at ensuring the biological integrity, diversity, and environmental health (BIDEH) of the National Wildlife Refuge System (Refuge System). The proposed rule contained several problematic provisions. For example, the revisions would have allowed the Service to take a more aggressive approach to protect Refuge Systems from actions outside of refuges that may impact lands and waters within the refuge. This included requiring refuge managers to encourage compatible adjacent land uses by actively participating in the planning and regulatory processes of other federal, Tribal, state, and local agencies that have jurisdiction over public or private property affecting the refuge. The NMA submitted [comments](#) on the proposed rule expressing grave concerns about the implementation of the BIDEH rule, and the potential impacts that could impede mining operations. Based on the extensive comments highlighting the multifaceted subjects within the proposed rule, the FWS determined that any final rule would require revisions that go beyond the logical outgrowth of the original proposed rule, and therefore determined to withdraw the entirety of the proposed rule and policy revision.

NMA Leads Coalition Extension Request on EPA's ANPRM Regarding 6PPD and 6PPD-q

The NMA recently formed a coalition of 14 national trade associations representing a broad range of industry sectors to file a [letter](#) urging the U.S. Environmental Protection Agency (EPA) to extend the comment deadline on its advanced notice of proposed rulemaking (ANPRM) seeking information on chemical compound commonly found in vehicle tires and rubber products, 6PPD, and its transformation product, 6PPD-q. The letter urged EPA to extend the comment period, which currently ends on Jan. 21, 2025, by an additional 60 days to allow our members and technical experts time to review the complex materials in the docket and evaluate potential practical impacts that any new regulatory actions regarding 6PPD could have on industry sectors that use products that may contain this chemical. The letter also urged EPA to coordinate internally on other potential actions regarding 6PPD and 6PPD-q, such as the agency's 2025 multi-sector general permit for industrial stormwater discharges. The NMA will keep you informed if the extension request is granted. The NMA is also exploring potential coalition comment opportunities.

EPA Adds Nine PFAS to 2025 Reporting Requirements

EPA recently [announced](#) the addition of nine per- and polyfluoroalkyl substances (PFAS) to the list of chemicals covered by the Toxic Release Inventory (TRI). See the Federal Register [notice](#) for the list of new PFAS added. As of Jan. 1, 2025, facilities subject to reporting requirements for these

chemicals should begin tracking their activities. With the addition of these nine PFAS, the total number of PFAS subject to 2025 TRI reporting is 205. Reporting forms are due by July 1, 2026. Recall that all TRI-listed PFAS are classified as chemicals of special concern and unable to take advantage of burden reduction tools (i.e., *de minimis* levels, Form A reporting, and range reporting). Assistant Administrator for the Office of Chemical Safety and Pollution Prevention Michal Freedhoff stated, "EPA continues to make strides in getting information on PFAS into the [TRI] so the public can see if these chemicals are being released into their communities." See an NMA [memorandum](#) for additional information.

Governor Hochul Signs Controversial Climate Superfund Legislation

On December 26, 2024, New York Governor Kathy Hochul signed into law the [Climate Change Superfund Act](#). The Act had first passed the New York legislature in June 2024, shortly after Vermont's Climate Superfund Act became law.

The Act establishes a Climate Change Adaptation Cost Recovery Program, to be overseen by the New York State Department of Environmental Conservation and enforced by the Department, the Department of Tax and Finance, and the Office of the New York State Attorney General. The law authorizes the state government to levy billions of dollars in fines on fossil fuel companies over the next two decades for alleged contribution to greenhouse gas emissions. New York would then be allowed to collect and deposit the monies in a "fund."

Since June 2024, there have been no major updates from the four other states considering climate change Superfund legislation. California, Maryland, Massachusetts and New Jersey. Industry stakeholders should continue to watch

these states closely as they or others may advance legislation similar to New York or Vermont's climate-related Superfund laws.

Room Block Open for 2025 Spring Environment & Lands Committee Meeting

Please see below important details regarding the NMA Spring Environment and Lands Committee meeting scheduled on March 3 and 4, 2025, in Scottsdale, Ariz. at the Hotel Valley Ho.

- **Room Block:** To assist in travel planning, the hotel room block is now open. The NMA room rate is \$329 single/double. Please use this link, [NMA 2025 Room Block](#), to book your room. The NMA's rates will apply Sunday, March 2, through Wednesday, March 5, 2025, while rooms are available. Please book your room as soon as possible. **Our room block will expire on Thursday, Jan. 30, 2025.**
- **Meeting Schedule:** This year's meeting will begin at 1 p.m. on Monday, March 3 (lunch will not be served). Our outdoor networking reception will also occur that evening. The next day, Tuesday, March 4, we will begin at 8 a.m. and conclude the meeting by 5 p.m. (with breakfast and lunch served). Please note that the Uranium Environmental Subcommittee is planning to meet at 9 a.m. on March 3 (breakfast will be served). A formal agenda will be sent prior to the meeting.
- **RSVPs:** If you plan on attending the NMA's Environment and Lands Committee meeting, please complete this [RSVP form](#). Please also indicate whether you plan on participating in the morning session for the

Uranium Environmental Subcommittee meeting.

- **Sponsorship Opportunities:** Information about the sponsorship opportunities for this year's meeting is [available here](#). Please contact Katie Coon at (202) 463-2632 or kcoon@nma.org if you are interested or have any questions.
- **Priority Setting Calls:** In preparation for the upcoming meeting, each subcommittee of the Environment Committee, as well as the Lands Committee, will have a separate conference call to discuss priorities. Identification of priorities via Teams meetings will allow greater time to discuss strategies for addressing these priorities at the meeting. You will receive notice of these conference calls via a separate memorandum. These calls are expected to take place in early to mid-February.

If you have any questions regarding this meeting, please contact Caitlin at (202) 463-2646 or cmchale@nma.org.

NMA and Third Parties In the News

[The Jacksonville Courier](#) carried an op-ed from Rich Nolan on how the U.S. can counter China's minerals dominance.

[Inside Sources](#) quotes Rich Nolan in a story on calls to reinvigorate U.S. mining to counter China's dominance of our supply chains.

An op-ed calling for more support of U.S. mining published in the [Duluth News Tribune](#) quotes Rich Nolan.

[Bloomberg](#) reports on the unusual coalition – including the NMA – that was behind the passage of new Good Samaritan legislation into law.

[NPR](#) quotes the NMA on MSHA's new silica rule.

Mining and Energy News

[Energywire](#) reported that Vistra now plans to operate the 1,185-megawatt Baldwin coal plant in southwestern Illinois through 2027 instead of shutting it down next year as blackout risks rise and amid "widespread" concerns over grid reliability on the central U.S. grid's Midcontinent Independent System Operator (MISO), the second-largest regional transmission organization in the US.

[Argus](#) reported that the U.S. Labor Department has issued new requirements for coal producers who want to self-insure their anticipated black lung liabilities.

[Energywire](#) reported that the Biden administration gave a last-minute jolt to the electric vehicle supply chain last week, issuing a conditional loan of almost \$755 million to build a battery materials factory in Tennessee.

[Politico Pro](#) reported that a bipartisan group of lawmakers were unable to reach a compromise deal to reform permitting rules that would speed the development of new energy infrastructure.

[Argus](#) reported that Chinese thermal coal imports from the U.S. are projected to hit at least 836,000 tons in December, likely a monthly record in advance of anticipated future Donald Trump-led tariffs.

[**E&E Daily**](#) reported that House Republicans pitching an ambitious plan to create a \$2.5 billion critical minerals reserve to counter China are struggling to secure Democratic support.

[**Argus**](#) covered a report commissioned by Utah lawmakers showing that there may be value in buying the soon-to-be decommissioned coal units at the Intermountain Power Project (IPP).

[**Oak Ridge National Laboratory's**](#) researchers have created and tested two methods for turning coal into graphite energy which is used in electric vehicle batteries.

[**Reuters**](#) reported that President elect Trump is urging an end of environmental reviews for mines.

The [**International Energy Agency's**](#) new report *Coal 2024* predicts that global coal demand will grow by 1 percent in 2024 to an all-time high of 8.77 billion metric tons. That's a slower pace from previous years with developed economies using less, but at the same time, the report notes, "accelerating demand for electricity around the world could give coal another boost."

[**Reuters**](#) reported that North American graphite miners asked the U.S. government recently to impose a tariff as high as 920 percent on Chinese suppliers of the battery metal to counter what they describe as Beijing's "malicious trade practices."

[**Reuters**](#) reported that advisers to incoming U.S. President Donald Trump are recommending he waive environmental reviews for federally funded critical minerals projects to boost domestic production of materials used in electric vehicles, electronics and weapons.

[**Washington Examiner**](#) reported that a new administration has handed the

U.S. the chance to catch up in its ever-intensifying trade war with China over critical earth minerals such as lithium, graphite, and cobalt, which are foundational for the energy industry and national security.

S&P Global Market Intelligence reported on internal analysis finding that most top gold miners missed analysts' earnings estimates for the third quarter due to higher labor costs and the strengthening U.S. dollar.

World Steel Association's latest steel report estimated that world crude steel production for countries reporting to them was 146.8 million metric ton (Mt) in November 2024, a 0.8 percent increase compared to November 2023.

E&E News reported that in mid-December President Biden signed in to law S.2781, the "Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2024," marking a victory for Sens. Martin Heinrich (D-N.M.) and Jim Risch (R-Idaho) and other sponsors including the NMA.

EIA's **Domestic Uranium Market Report** for the Third Quarter of 2024 found that U.S. production of uranium concentrate (U_3O_8) in the third quarter of 2024 totaled 121,296 pounds U_3O_8 , a 24% increase from second quarter's production of 97,709 pounds U_3O_8 . This quarter's total uranium production occurred at five facilities, three in Wyoming (Nichols Ranch ISR Project, Lost Creek Project, and Smith Ranch-Highland Operation) and two in Texas (Alta Mesa Project and Rosita).

American Rare Earths released a press release reporting its wholly owned subsidiary, Wyoming Rare (USA) Inc., has secured a facility at the Western Research Institute in Laramie, Wyoming.

Mining Journal reported that Peninsula Energy uranium operations at its Lance project in Wyoming restarted, after a five-year break.

[**Argus**](#) reported that Hampton Roads coal exports fell again in November due to a decrease from the Dominion Terminal Associates facility.

[**Argus**](#) reported that Appalachian metallurgical and thermal coal producer JRL Energy has entered Chapter 11 bankruptcy protection.

[**Power Magazine**](#) reported that PJM Interconnection said NRG's coal power unit 4 at Indian River in southern Delaware could be closed two years ahead of schedule.

[**Wall Street Journal**](#) carries an op-ed from Andrew Wheeler in which he calls on the Trump administration to reverse EV mandates, arguing that "America doesn't have access to the volume of critical minerals needed to produce that many EV batteries. It also doesn't have the necessary electricity generation capacity or charging infrastructure."

[**Wall Street Journal**](#) reported that China's recent efforts to flaunt how it could strike the U.S. in a new trade war with the U.S., including through export restrictions on minerals, could backfire.

[**Mining.com**](#) covered a new report from McKinsey that highlights challenges associated with securing a reliable supply of critical battery raw materials, especially with demand for battery electric vehicles picking up pace by 2030.

[**Mining Journal**](#) reported that NATO has a list of 12 critical minerals needed for weapons.

[**The New York Post**](#) and others reported that Bill Gates and Jeff Bezos are in the mining business.

[**E&E**](#) and others reported on a new warning from NERC that recent arctic blasts pose a massive threat to the reliability of the grid.

[Reuters](#) and others reported that President Joe Biden has prohibited the proposed acquisition of U.S. Steel by Japan's Nippon Steel, spurring multiple lawsuits.

[Utility Dive](#) reported that the North American Electric Reliability Corp. rang in the New Year with a grid reliability warning ahead of an expected winter storm that officials said could last "deep into January."

[Climatewire](#) reported that stagnant power demand undermined then-President Donald Trump's pledge to save coal in his first term. Now, soaring power needs could boost his energy agenda when he returns to the White House later this month.

[Mining.com](#) reported that the Biden administration on Friday issued the final mining permit for Perpetua Resources' Idaho antimony and gold project, a move aimed at spurring U.S. production of a critical mineral at the center of a widening trade war between Washington and Beijing.

Commodity Prices

Commodity Price - Snapshot

Metals Prices	Date	Price
Cobalt Spot Price (\$/lb)	1/6/25	\$11.02
Copper Spot Price (\$/lb)	1/7/25	\$4.14
Gold Spot Price (\$/ounce)	1/7/25	\$2,648.28
Lead Spot Price (\$/lb)	1/7/25	\$0.89
Lithium Spot Price (\$/kg)	1/7/25	\$10.29
Molybdenum Spot Price (\$/kg)	1/7/25	\$64.01
Nickel Spot Price (\$/lb)	1/7/25	\$6.89
Silver Spot Price (\$/ounce)	1/7/25	\$30.06
Steel HRC Price (\$/mt)	1/7/25	\$713.64
Steel Rebar Price (\$/mt)	1/7/25	\$436.47
Zinc Spot Price (\$/lb)	1/7/25	\$1.30
Energy Prices	Date	Price
Coal Price - Australian Premium Coking Coal Futures (\$/mt)	1/7/25	\$201.00
Coal Spot Price - Central Appalachian (\$/st)	1/3/25	\$75.00
Coal Spot Price - Newcastle futures (\$/mt)	1/7/25	\$118.46
Coal Spot Price - Rotterdam futures (\$/mt)	1/7/25	\$108.25
Natural Gas Spot Price - Henry Hub (\$/mmbtu)	12/18/24	\$3.02
Uranium Spot Price (\$/lb)	1/6/25	\$74.95

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

CORESafety



In the January edition of CORESafety TV, we discuss personal protective equipment.



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