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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 President-elect Donald Trump's inauguration slated for Monday, the U.S. Senate commenced confirmation hearings this week for several of his Cabinet nominees. In the Executive Branch, regulatory agencies wrapped up the last of Biden administration actions in advance of an expected outpouring of new Executive Orders immediately following the inauguration. 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 mining and energy markets are faring.

Safety Share

California's heartbreaking wildfires provide a good reason to pause and consider: "[Are you ready for a disaster?](#)"

EPA Withdraws Proposed Rule Setting Federal Baseline Water Quality Standards for Indian Reservations

In an important victory for the mining industry, the U.S. Environmental Protection Agency (EPA) recently [withdrew](#) its proposed rule entitled "Federal Baseline Water Quality Standards for Indian Reservations." If finalized as proposed, this rule would have made significant changes to EPA's water quality standards (WQS) program and could have hindered mining and development projects located near or upstream from reservation waters.

Last year, the NMA formed a broad industry coalition to file [comments](#) raising numerous legal and practical flaws in the proposed rule and urged EPA to withdraw the proposal, or at a minimum, conduct more outreach to states and the regulated community before considering a supplemental proposal or moving this toward a final rulemaking. The NMA and our coalition partners also met with the Office of Management and Budget (OMB) during the interagency review process and advocated withdrawing the proposal, reiterating the legal and practical concerns with the rule.

In the *Federal Register* notice announcing the withdrawal, EPA explained it decided to withdraw the rule for two reasons. First, after considering the input received during the comment period and several complex issues raised, the

agency had insufficient time to issue a final rule before the end of the current administration. Second, the agency independently chose to shift its focus and resources to engaging with Tribes and supporting Tribes' efforts to seek authority to administer their own WQS program under the Clean Water Act's (CWA) provision for eligible Tribes to be treated in a similar manner as states (TAS) and develop their own WQS under the CWA.

The NMA is pleased with this outcome and appreciates the help of many members who provided input on the draft comments and our OMB engagement strategy.

Confirmation Hearings Begin



This week kicks-off a busy set of confirmation hearings in the Senate. Yesterday, the Armed Services Committee held a hearing for Peter B. Hegseth to be the Secretary of Defense.

Today, the Energy and Natural Resources Committee considered the nomination of Chris Wright to be the Secretary of Energy, the Foreign Affairs

Committee heard from Secretary of State nominee Sen. Marco A. Rubio, the Committee Homeland Security and Governmental Affairs held its hearing on the nomination of Russell Vought to be the Director of the Office of Management and Budget, the Commerce, Science, & Transportation Committee held a hearing on the nomination of Sean Duffy to be the Secretary of Transportation, the Judiciary Committee considered the nomination of Pamela Jo Bondi to be the Attorney General of the United States, and the Select Committee on Intelligence heard from John L. Ratcliffe who is nominated to be the Director of the Central Intelligence Agency.

Tomorrow, the Committee on Environment & Public Works will hear from Lee M. Zeldin who is President-elect Trump's nominee to be the Administrator of the Environmental Protection Agency, the Committee on Energy Natural Resources will hold its hearing on the nomination of Gov. Doug Burgum to be the Secretary of the Interior, and the Finance Committee will hear from Scott Bessent who has been nominated to be the Secretary of the Treasury. In addition, the hearing for the Secretary of Housing and Urban Development is also planned for tomorrow, and the nomination hearing for the Secretary of Homeland Security is scheduled for Friday. A complete list of the current schedule for nomination hearings can be found [here](#).

The NMA is working with the Senate committees and the teams assisting the nominees on hearing questions and improving their understanding of the issues critical to the domestic mining sector.

Patrick Morrisey Sworn in as Governor of West Virginia



On January 13, Patrick Morrissey, a three-term attorney general, took the oath of office Monday to become the 37th governor of West Virginia. As Attorney General, Morrissey worked tirelessly in defense of affordable electricity and coal production industries.

Referring repeatedly to West Virginia as “that shining state in the mountains,” Morrissey called for residents to come together to make bold changes to move the state forward into the last three-quarters of the 21st century.

“This is our moment to rise, to dream bigger, to achieve more,” Morrissey said. “We’ve seen tough times before, and as a state, we’ve always come out of it stronger. Our story, it’s still being written. And every West Virginian will play a role in shaping the next chapter. So, let’s be bold, let’s be courageous, and let’s move forward together. I promise you this, I’ll never stop fighting for you, for our families, and for West Virginia’s future.”

The NMA as well as dozens of leaders in the mining industry were in attendance for the inauguration festivities, which took place Monday evening at

the Charleston Coliseum and Convention Center after a Celebration of West Virginia concert by the Marshall Tucker Band and Shenandoah.

President-Elect Trump Continues to Fill-out His Administration

On Saturday, President-Elect Donald J. Trump pick his nominees to be the deputies at the Departments of Energy, Interior and the EPA. Trump nominated [Katharine MacGregor](#), to be deputy secretary at Interior, [James Danly](#) to be the next deputy secretary at the Energy Department, and [David Fotouhi](#) to be EPA's deputy administrator. The President-elect also nominated [Steven Gill Bradbury](#) to be the Transportation Department's deputy secretary.

All three have extensive experience with the issues faced by the agencies they hope to help run. The NMA congratulates all four of them. A complete list of Trump Administration nominees can be found [here](#).

Congressional Coal Caucus is Back for the 119th Congress

C O N G R E S S I O N A L
COAL CAUCUS

The Congressional Coal Caucus is officially back for the 119th Congress. Founded to promote the interests of the communities and states that rely on coal in Congress, the caucus continues to serve as a valuable advocate for coal-related issues. The caucus reached over fifty members in the last Congress and remains a historically bipartisan group committed to coal-related issues. Several freshman Representatives have already pledged to join this session, reinforcing its importance as a collective voice for coal-producing regions.

Representatives Carol Miller (R-W. Va.), Morgan Griffith (R-Va.), Dan Meuser (R-Pa.), and Harriet Hageman (R-Wyo.) co-chair the caucus. Each brings important regional understanding and dedication to supporting coal-producing communities. Their leadership reflects a collective commitment to ensuring that coal is a central part of the nation's energy policy.

Tens of thousands of hard-working Americans rely on the coal industry for their livelihoods and reliable and affordable electricity, the caucus continues to prioritize their interests in Congress. The relaunch of the 119th Congress highlights the ongoing importance of a unified voice advocating for coal-producing regions and ensuring that their concerns are represented in national policy discussions.

NMA Urges Biden Administration to Support Investor Protections in Key Trade Agreements

On Monday, the NMA joined a coalition of other organizations to [express concern](#) over planned actions by the U.S. Trade Representative (USTR) to abandon investment safeguards in key trade agreements. The NMA first learned of the USTR's activities late last year and led the other coalition

members in urging the Biden administration to reverse course and preserve important investment protections against unlawful expropriation, discrimination, and other forms of abusive treatment. The NMA is working with congressional allies to oppose these actions as well. The NMA will also work with the incoming Trump administration to educate them on the importance of maintaining these protections in existing and future trade agreements.

Congresswoman Harriet Hageman Introduces Slew of Coal Bills



Congresswoman Harriet Hageman (R-Wyo.) has introduced a series of bills to strengthen support for the coal industry and counter what she describes as federal overreach. Central to her legislative push is H.R. 280, the Combating Obstruction Against Leasing (COAL) Act, which seeks to end delays in coal lease processing. The bill mandates that the Bureau of Land Management promptly process coal lease applications, upholding federal obligations under the Mineral Leasing Act. By addressing procedural bottlenecks, the COAL Act aims to increase coal production and protect jobs in the communities that depend on coal operations.

In addition to H.R. 280, Hageman has introduced two other bills targeting recent federal resource management plans that impact coal operations. H.R. 230 and H.R. 229 prohibit the implementation of the Approved Resource Management Plan Amendments for the Buffalo, Wyoming Field Office and the Rock Springs Field Office of the Bureau of Land Management, areas that are critical to regional coal production and economic sustainability.

These bills reflect Hageman's commitment to advocating for coal-producing communities and ensuring that federal agencies remain accountable in their land management decisions. Representatives Dan Meuser (R-Pa.) and Carol Miller (R-W.Va.), fellow co-chairs of the Congressional Coal Caucus, have cosponsored the COAL Act, reinforcing the caucus' unified support for policies that promote energy security and safeguard the livelihoods tied to coal production. The NMA continues to work with Congresswoman Hageman and the Congressional Coal Caucus to help craft and promote legislation that ensure that these lands remain open for their mandated multiple-use purposes.

Senate Energy and Natural Resources Holds DOE Confirmation Hearings



As mentioned above, today, the Senate Energy and Natural Resources Committee held a hearing to consider the nomination of Mr. Chris Wright to be Secretary of Energy. Wright, a graduate of Massachusetts Institute of

Technology and University of California, Berkeley, is the founder and CEO of Liberty Energy, a fracking services company based in Colorado. Please find a link to the hearing [here](#).

In his opening remarks, Mr. Wright highlighted the increasing energy demands in the U.S. and the need to support “all of the above” energy sources. He also indicated his desire to remove regulatory barriers in order to make energy more affordable. Wright received a broad range of questions from senators regarding his support for energy sources, to which he specifically highlighted coal and nuclear as well as renewables like wind and solar.

Ahead of the hearing, the NMA worked with committee staff and member offices to provide questions for the nominee related to NMA priorities including mining, energy reliability and affordability from domestically produced coal and uranium as well as permitting reforms. The NMA sent a letter to the committee in support of Mr. Wright’s (linked [here](#)) confirmation by the committee. The committee could hold confirmation votes as early as next week.

White House PCAST Releases Final Groundwater Recommendations Report

The President’s Council of Advisors on Science and Technology (PCAST or Council), a body of advisors from outside the federal government charged with making science, technology, and innovation policy recommendations to the President, recently issued a [report](#) to the President on “Improving Groundwater Security in the United States.” The executive summary is available [here](#). Last April, the Council quietly [sought](#) public input on the federal government’s role in groundwater management. The NMA raised awareness of this project, ultimately filing association [comments](#) and

developing coalition [comments](#) that raised several high-level concerns. We emphasized the need for more robust stakeholder engagement on this effort given the complex legal framework and technical issues related to groundwater management. We also urged the White House and the Council to ensure that any report or future federal action on groundwater does not infringe on the longstanding state and local jurisdiction over groundwater resources. Finally, we encouraged the Council to consider the development of national programs that incentivize and fund various research and development opportunities and groundwater improvements at industrial sites.

The Council's final report included six recommendations involving three key themes: (1) needing a whole-of-country, unified, and comprehensive picture of the nation's groundwater storage, withdrawal, and recharge; (2) safeguarding the future of groundwater supply and quality; (3) incentivizing sustainable management of groundwater. The report also includes several appendices that detail the agencies with activities related to water resources and water quality and provides examples of groundwater data collections and models. The NMA will continue to monitor any future developments regarding federal groundwater management or the recommendations in this report.

EPA Seeks Comment on Draft PFAS Human Health Criteria

The EPA recently [published](#) for public comment its draft CWA national recommended ambient water quality criteria for the protection of human health for three per- and polyfluoroalkyl substances (PFAS)—perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), and perfluorobutane sulfonic acid (PFBS). According to EPA, the draft criteria reflect the latest available scientific information including final human health toxicity values, draft bioaccumulation

factors, draft relative source contributions, and updated drinking water ingestion rates. While national human health ambient water quality criteria are not regulations and do not impose legally binding requirements, many states and Tribes use EPA's recommendations to establish their own enforceable water quality standards. More information, including a [fact sheet](#) and detailed documents explaining the mathematical equations used to develop the draft values, is available [here](#). **Comments are due Feb. 24, 2025.**

Responses Requested on NMA's Quarterly Rail Survey



The NMA is interested in your feedback regarding freight rail service issues involving Class I rail carriers during the fourth quarter of 2024. To further assess any issues and impacts, the NMA would appreciate your feedback on this anonymous 9-minute [survey](#). Note that this survey includes a question regarding the potential impacts of a port strike to your operations. As you may be aware, the International Longshoremen's Association and the United States Maritime Alliance have reached a tentative agreement on a new contract that would avert a work stoppage on eastern and gulf shore ports. However, a final

contract has not been ratified. We ask NMA members to please submit responses to the survey by Friday, Jan. 31, 2025.

Coalition Submits OSHA Heat Injury and Illness Prevention Rule Comments

On Jan. 14, the Employers Heat Illness Prevention Coalition (Coalition) [submitted comments](#) addressing the Occupational Safety and Health Administration (OSHA) August 30, 2024, proposed rule for Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings.

The NMA, along with other members of the Coalition, is pushing for a flexible, performance-based heat standard that's tailored to various workplace conditions and leverages existing effective heat illness prevention programs. The Coalition argument is that a one-size-fits-all regulation could result in unnecessary compliance burdens without enhancing safety. Key recommendations from the Coalition include setting higher heat triggers, simplifying monitoring requirements, and excluding indoor environments due to their unique challenges. The Coalition also highlights that OSHA's analysis underestimates compliance costs and administrative burdens, especially for small businesses, and stresses the need to minimize recordkeeping requirements. Specific concerns the Coalition raise involve the feasibility of mandatory rigid rest breaks, acclimatization protocols and engineering controls for indoor settings. The Coalition also calls on OSHA to clarify definitions like "shade" and "indoor/indoors" to ensure practical applications.

NMA's Katie Sweeney Named to BLM Advisory Committee on Implementation of

the Conservation and Landscape Health Rule

The Bureau of Land Management (BLM) yesterday [announced](#) the members of the committee convened to advise the Secretary of the Interior and BLM Director on implementation of the final conservation and landscape health [rule](#). The NMA's Executive Vice President and Chief Operating Officer, Katie Sweeney, was named to the committee as a primary member representing the mining and energy industry, reflecting her decades of experience on public lands issues. While the future of the rule is in question with the many legal challenges to the rule, including the NMA's, and likely actions under the Trump administration, the NMA pushed for a slot to advocate for continued access to coal and minerals resources on public lands. Recall, the NMA had strongly [opposed](#) the rule due to its elevation of conservation over uses of public lands in contravention of congressional intent. The committee charter is available [here](#) and the first committee meeting, which is open to the public, is [scheduled](#) for Feb. 19, 2025.

NMA and Third Parties In the News

[InsideSources](#) ran a piece from Syd Peng, the Charles E Lawall Chair of Mining Engineering emeritus in the Department of Mining Engineering at West Virginia University, on America's coal policy failure and how we should look to recapture global coal technology leadership.

The [Salem News](#) (Ohio), [East Liverpool Review](#) (Ohio), [Lisbon Morning Journal](#) (Ohio), [Pottstown Mercury](#) (Pa.), [Steubenville Herald Star](#) (Ohio), [Weirton Daily Times](#) (W.Va.), [Cedar Rapids](#)

[Gazette](#) (Iowa), [Beckley Register Herald](#) (W.Va.), [Johnston Tribune Democrat](#) (Pa.), [Kokomo Tribune](#) (Ind.), [Nashua Telegraph](#) (N.H.) and [Grand Junction Daily Sentinel](#) (Colo.) carry an op-ed by Terry Jarrett, an energy attorney and consultant who has served on both the board of the National Association of Regulatory Utility Commissioners and the Missouri Public Service Commission, in which he argues policymaking must preserve the dispatchable power generation that coal plants provide during a deep freeze.

Mining and Energy News

[Mining Journal](#) and others reported that the Lithium Americas' Thacker Pass project is now hosting the largest overall lithium reserve and resource in the world outlining a potential 85-years of operation based on a new technical report.

[The Silver Institute's](#) *Silver News* report for December includes its silver supply and demand summary predicting that global industrial demand for silver is on track for a record high in 2024. "Global mine production is forecast to rise by 1 percent year over year to 837 million ounces with output from Mexico, Chile and the U.S. higher than Peru, Argentina and China."

[Energywire](#) reported that federal regulators are under mounting pressure and on a tight schedule to head off future power shortages and painful cost increases inside PJM, the largest regional electric grid.

The [U.S. Department of Energy's \(DOE\) Office of Fossil Energy and Carbon Management \(FECM\)](#) announced \$45 million in federal funding for six projects to create regional consortia to accelerate the development of critical mineral and materials supply chains.

Energywire reported on a new report from Lawrence Berkeley National Laboratory indicating that electricity prices for residential customers rose faster than inflation between 2019 and 2023, driven by utilities spending more on building out and maintaining local distribution grids.

Greenwire reported that a federally backed minerals company developing the nation's first cobalt mine in Idaho has inked a rescue deal in the face of intensifying competition from China.

BMW recently announced U.S. investment in Phoenix Tailings to expand and stabilize the processing of rare earth elements in Massachusetts.

Mining Journal reported on Dutch Bank ING commodity analysis predicting that most of the commodities complex may hedge lower this year, with the exception of gold.

Greenwire reported that the Department of Defense announced the establishment of a federal advisory committee to provide advice for how to secure and strengthen the government's stockpile of raw materials.

Law 360 reported that Montana would lower the property tax rate imposed on metal mines, certain agricultural land and railroads but raise the rate on data center property as part of a bill introduced in the state Senate.

Greenwire reported that the Biden administration unveiled a new initiative that will allow the Export-Import Bank to tap into its \$135 billion lending authority to support companies producing and processing raw materials that are not located in China, owned by a Chinese entity or rely on Chinese technology.

Argus reported that last week Consol Energy and Arch Resources' shareholders approved the companies' plan to merge. The coal mining

companies expect their merger to close on January 14, becoming Core Natural Resources. Consol will own 55 percent of the combined company and Arch will have the remaining stake.

[**WWNO**](#) reported that surging electricity demand is boosting generation.

[**Argus**](#) reported that in its draft IRP plan PacifiCorp's Rocky Mountain Power said it would like to extend its retirement timeline and run four of its coal units in Wyoming and five units in Utah until at least 2045.

[**Fastmarkets**](#) reported that they expect a modest increase in global crude steel production in 2025. The first increase since 2021. "Increases in production in North America, Middle East and India will offset another expected weak year in China."

[**Bloomberg**](#) reported that Indonesia's coal production (831 million tons) reached a new high in 2024 amid rising demand for energy both domestically and globally, despite Indonesia's plan to retire all its coal plants by 2040.

[**Argus**](#) reported that the U.S. Treasury Office of Foreign Assets Control has expanded sanctions against several large Russian coal producers (KRU and Russky Ugol).

[**Steel Industry News**](#) is predicting that the U.S. economy and therefore the U.S. steel industry are both poised for a period of growth and recovery with the automotive and domestic appliance sectors seen as demand drivers as well as improved consumer confidence.

[**Argus**](#) reported that U.S. coal mining fatalities increased last year despite a decline in coal production and demand, MSHA data show.

[**Fastmarkets**](#) reported on the main factors shaping the coking coal markets in

2025 and beyond.

E&E News PM reported that the head of Cleveland-Cliffs confirmed Monday that he remains interested in buying U.S. Steel if the iconic American company's proposed deal with Japanese steelmaker Nippon Steel falls through.

Commodity Prices

Commodity Price - Snapshot		
Metals Prices	Date	Price
Cobalt Spot Price (\$/lb)	1/14/25	\$11.02
Copper Spot Price (\$/lb)	1/14/25	\$4.31
Gold Spot Price (\$/ounce)	1/14/25	\$2,666.40
Lead Spot Price (\$/lb)	1/14/25	\$0.89
Lithium Spot Price (\$/kg)	1/14/25	\$10.41
Molybdenum Spot Price (\$/kg)	1/14/25	\$63.97
Nickel Spot Price (\$/lb)	1/14/25	\$7.22
Silver Spot Price (\$/ounce)	1/14/25	\$29.73
Steel HRC Price (\$/mt)	1/14/25	\$698.86
Steel Rebar Price (\$/mt)	1/14/25	\$438.67
Zinc Spot Price (\$/lb)	1/14/25	\$1.30
Energy Prices	Date	Price
Coal Price - Australian Premium Coking Coal Futures (\$/mt)	1/14/25	\$194.00
Coal Spot Price - Central Appalachian (\$/st)	1/10/25	\$77.30
Coal Spot Price - Newcastle futures (\$/mt)	1/14/25	\$115.30
Coal Spot Price - Rotterdam futures (\$/mt)	1/14/25	\$106.95
Natural Gas Spot Price - Henry Hub (\$/mmbtu)	1/8/25	\$3.76
Uranium Spot Price (\$/lb)	1/14/25	\$73.75

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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