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MINE Update

MINING INDUSTRY NEWS E-COMM UPDATE

Issue 4 | January 29, 2025

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This Week in The News

House Republicans decamped to Florida for their annual planning retreat as the Senate continued to grind out Cabinet confirmations. Meanwhile, President Donald Trump continued issuing executive orders as his second term entered its second week. 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

Next week is National Burn Awareness Week. The American Burn Association has lots of **tips for burn prevention**.

Regulatory Freeze & Initial Rescission of Executive Orders and Actions

On the first day of the new administration, President Trump signed several standard transition actions that impact the association's regulatory portfolio including: (1) a **Regulatory Freeze Pending Review**; and (2) **Initial Rescissions of Harmful Executive Orders and Actions**. President Trump also signed an Executive Order **Establishing and Implementing the President's "Department of Government Efficiency"**. See the NMA's **memorandum** for a complete summary.

Under the Regulatory Freeze, President Trump ordered all executive departments and agencies to take the following steps:

1. Do not propose or issue any rule until a department or agency head appointed by the President reviews and approves the rule.

2. Immediately withdraw any rules that have been sent to the Office of Federal Register but not published in the *Federal Register*, so that the same review and approval process mentioned above can take place.

3. Consider postponing for 60 days (e.g., March 21, 2025), "the effective date for any rules that have been published in the *Federal Register*, or any rules that have been issued in any manner but have not taken effect." This 60-day pause would allow agencies to review "any questions of fact, law, and policy that the rules may raise." Agencies are directed to consider opening a comment period during this time to allow stakeholders to provide comments on "issues of fact, law, and policy raised by the rules" and any pending petitions involving such rules. The President's memo also directs agencies to consider additional postponement, "as appropriate and consistent with law," by proposing a notice and comment rulemaking to continue considering these issues past 60 days.

4. Notify and take further appropriate action in consultation with the OMB Director on any rules that "raise substantial questions of fact, law, or policy."

The President also identified by Executive Order "unpopular, inflationary, illegal, and radical practices" in the federal government and revokes 77 orders and actions to "restore commonsense" and "repair our institutions and our economy." Orders and actions that the NMA has actively monitored include:

- Executive Order 13990 of January 20, 2021 (Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis).

- Executive Order 13992 of January 20, 2021 (Revocation of Certain Executive Orders Concerning Federal Regulation).
- Executive Order 14008 of January 27, 2021 (Tackling the Climate Crisis at Home and Abroad).
- Executive Order 14052 of November 15, 2021 (Implementation of the Infrastructure Investment and Jobs Act).
- Executive Order 14082 of September 12, 2022 (Implementation of the Energy and Infrastructure Provisions of the Inflation Reduction Act of 2022).
- Executive Order 14094 of April 6, 2023 (Modernizing Regulatory Review). Notably, this repeal involves three major changes involving OMB's interagency review process for regulations: (1) the threshold for "economically significant" regulatory action reverts to $100 million in any one year from the $200 million established under the Biden administration; (2) OMB staff retains the sole authority to deem an action as a significant policy change and thus subject to interagency review; and (3) OMB staff can choose their meetings with outside stakeholders instead of the Biden administration's directive to reduce public meetings on draft regulatory actions.
- Executive Order 14096 of April 21, 2023 (Revitalizing Our Nation's Commitment to Environmental Justice for All).

The Executive Order directs the Directors of the Domestic Policy Council and National Economic Council "to review all Federal Government actions taken pursuant to the orders, memoranda, and proclamations" identified, "take necessary steps to rescind, replace, or amend such actions as appropriate," and submit a list to the President within 45 days that includes a list of "replacement orders, memoranda, or proclamations."

In the DOGE Executive Order, the President renamed the United States Digital Service—an existing, authorized technology unit housed within the Executive Office of the President—to the United States DOGE Service (USDS). The new USDS will be led by an administrator who reports to the White House Chief of Staff.

DOGE's initial mandate is to modernize federal technology and software to maximize efficiency and productivity. Reports in the weeks leading up to the inauguration indicated DOGE would examine ways to reduce wasteful government spending and eliminate unnecessary regulations broadly. But the final DOGE Executive Order has a notably narrower scope, focusing on technology and software efficiencies and inter-operability across the federal government rather than broader regulatory and government reforms.

Finally, this week the Office of Management and Budget issued a "Temporary Pause of Agency Grant, Loan, and Other Financial Assistance Programs." The order directs federal agencies "to the extent permissible under applicable law… to temporarily pause all activities related to obligation or disbursement of all Federal financial assistance, and other relevant agency activities that may be implicated by the executive orders, including, but not limited to, financial assistance for foreign aid, nongovernmental organizations, DEI, woke gender ideology, and the green new deal. This temporary pause will provide the Administration time to review agency programs and determine the best uses of the funding for those programs consistent with the law and the President's priorities."

Earlier today, OMB rescinded the pause, directing the heads of executive departments and agencies to contact their general counsels "if you have questions about implementing the President's Executive Orders."

A NMA Executive Order tracker linking to mining and energy-related executive actions can be found **here**.

Senate Continues to Confirm President Trump's Cabinet

Senate Majority Leader John Thune filed cloture Monday on the nominations of Chris Wright to serve as the Secretary of Energy, former North Dakota Governor Doug Burgum (R-N.D.) to serve as the Secretary of the Interior, and former Congressman Lee Zeldin to be Administrator of the Environmental Protection Agency (EPA). This afternoon, the Senate voted 56-42 to invoke cloture and then confirm Zeldin. Cloture votes on Burgum and Wright are also expected this week. The votes will pave the way for final confirmation of the two nominees in the full Senate. NMA **supported** the rapid confirmation of all three nominees.

A NMA confirmation tracker to follow the hearings and confirmations votes for senior Trump Administration nominees can be found **here**. A NMA tracker for senior officials Trump has selected to serve in his administration can be found **here**.

Rep. Ciscomani Reintroduces the Critical Mineral Consistency Act

Yesterday, Congressman Juan Ciscomani (R-Ariz.) reintroduced the Critical Mineral Consistency Act (**H.R. 755**). The legislation, which passed the U.S. House of Representatives in November by a bipartisan vote of **245 – 155**, would create parity between the Department of Energy's (DOE) **critical materials list** and the Department of the Interior's (DOI) **critical minerals list**. These lists are similar but not identical. Under the Energy Act of 2020, items appearing on the DOI's critical minerals list are automatically included on the DOE's critical materials list. However, items on the DOE list are not guaranteed a place on the DOI list. H.R. 755 is cosponsored by Representatives Susie Lee (D-Nev.), Dan Newhouse (R-Wash.), Steven Horsford (D-Nev.), Eli Crane (R-Ariz.), Brittany Pettersen (D-Colo.), Celeste Maloy (R-Utah), Greg Stanton (D-Ariz.), Abe Hamadeh (R-Ariz.), Eric Swalwell (D-Calif.), and Andy Biggs (R-Ariz.). Please find a link to Rep. Ciscomani's press release **here**, with a quote from the NMA's CEO Rich Nolan in support of the bill. The NMA will continue to support efforts to advance the Critical Minerals Consistency Act in both the House and Senate.

Governor Little Looks for Permitting Speed

On January 25, Idaho Governor Brad Little (R-Idaho) signed the Strategic Permitting, Efficiency and Economic Development (SPEED) Act alongside Lt. Gov. Scott Bedke and several state agency directors, according to the Office of the Governor. The order aims to coordinate state permitting on projects ranging from energy independence to national security and the economy. The SPEED Act creates a council comprised of several state agency directors responsible for reviewing permits. Projects may include electricity generation and transmission projects, mining projects, data center development, fabrication facilities, water facilities and more. Richard Stover, the Governor's Office of Energy and Mineral Resources administrator, will chair the SPEED Council. At the same time, Lt. Gov. Bedke will advise the council.

AGs Prepare for New Administration

Today through Friday the Republican Attorneys General Association will be meeting in Austin, Texas, to discuss the final regulatory acts of the Biden administration as well as the anticipated moves from the incoming Trump administration. Several AGs have discussed the importance of continuing the litigation efforts from dozens of states pushing back on the multiple regulatory over-reaches that were common during the past administration. The NMA and member companies will be attending the meeting, briefing the AGs on the multiple threats to industry that remain as well as the new challenges anticipated in the future.

FINAL REMINDER! NMA Spring Environment & Lands Committee Room Block Ends Tomorrow

This is a final reminder of important details regarding the NMA Spring Environment and Lands Committee meeting scheduled March 3-4, 2025, in Scottsdale, Ariz. at the Hotel Valley Ho.

- **Room Block**: **Our room block will expire this Thursday, Jan. 30, 2025. Please book your room as soon as possible.** 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, 2025, through Wednesday, March 5, 2025, while rooms are available.

- **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, has scheduled 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. The new administration is also an opportunity to review our priorities with fresh eyes. We therefore encourage you to come prepared to discuss your company's top three to five priorities. Please review the NMA's Jan. 28, 2025, memorandum for more details and the links to each of these calls

NMA and Third Parties In the News

The **Associated Press** quotes Rich Nolan in a story on President Donald Trump's promise to go all in on fossil fuels, which includes praise for coal.

Outside quotes Rich Nolan in a report noting that barely two weeks into his second presidential term, Donald Trump has already dramatically changed the policies governing public lands, outdoor recreation, and the environment.

Womble Bond Dickinson and **Mondaq** quote the NMA on the Good Samaritan Act and hardrock remediation.

E&E Greenwire mentions the NMA in a story on reports that President Donald Trump and Republicans on Capitol Hill are poised to reverse a host of Biden-era protections and expand domestic mining, from Alaska to Minnesota.

Engineering and Mining Journal reports that the NMA has partnered with five allied trade associations in filing an opening brief challenging the Mine Safety and Health Administration's (MSHA) final silica rule in the U.S. Court of Appeals for the Eighth Circuit.

Lexology mentions the NMA in a story on the Bureau of Land Management (BLM) policy shift aimed at streamlining the permitting process for mineral projects on public lands.

From our third parties, **Frankfort State Journal** (Ky.) and **Press and News** (Minn.) 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.

NWI Times (Ind.) carries an op-ed by Syd Peng, the Charles E Lawall Chair of Mining Engineering emeritus in the Department of Mining Engineering at West Virginia University, in which he argues the United States should champion advanced coal technology and make it a pragmatic, balanced energy strategy.

Mining and Energy News

Greenwire reported that a detailed mandate to lift restrictions on Alaska's oil and gas, mining and timber industries operating on federal lands made the cut for the swath of executive orders issued last Monday by President Trump.

The **International Copper Study Group's** recent preliminary data for November indicates that world copper mine production increased by about 1.5 percent over the first eleven months of 2024, with concentrate production increasing by 1.6 percent and solvent extraction-electrowinning (SX-EW) by 1.0 percent. Global mine production benefited from a recovery from constrained output in 2023 (mainly in Chile and Indonesia) as well as additional production from mine projects ramping up to capacity namely in the D.R. Congo (DRC), Botswana, Mongolia and Serbia. However, the rise was partially offset by declines in several other countries, including major producers Canada, Panama, Peru and the U.S.

Energywire reported that David Wright, the new chair of the Nuclear Regulatory Commission, inherits a pivotal moment for the nuclear industry, which is navigating an era of advanced reactor development and grappling with long-standing challenges like waste management.

Greenwire reported that Trump with several strokes of his Sharpie last week elevated to the top levels of the government a focus on accelerating mining and processing of minerals — from rare earths to coal and uranium — drawing applause from Republicans and the mining sector.

Greenwire reported that Trump's early executive orders called on federal agencies to bolster U.S. mining.

Mining.com reported from Reuters that copper miner Freeport-McMoRan posted a better-than-expected fourth-quarter profit, as higher prices for the metal offset a drop in production in the company's Indonesian operations.

The **World Steel Association's** latest preliminary data for December indicates that global crude steel production for the countries reporting to the Association was 144.5 million metric tons (Mt), a 5.6 percent increase compared to December 2023. The U.S. produced 6.7 Mt, down 2.4 percent.

Engineering & Mining Journal reported that Ioneer Ltd. confirmed the closing of its $996 million loan from the U.S. Department of Energy Loan Programs Office to support the development of an on-site processing facility at the Rhyolite Ridge lithium-boron project in Esmeralda County, Nevada. "Once operational, Rhyolite Ridge will become the first new lithium mine in the U.S. in almost 60 years and first new boron mine in close to a century. It could quadruple the nation's current domestic lithium supply."

Mining.com reported that U.S. coal producers' shares climbed after President Donald Trump promoted the fuel as a power source during a video address to

the World Economic Forum in Davos, Switzerland.

Engineering & Mining Journal reported that the NMA has partnered with five allied trade associations in filing an opening brief challenging the Mine Safety and Health Administration's (MSHA) final silica rule in the U.S. Court of Appeals for the Eighth Circuit.

New York Times reported that while the U.S. is the world's largest producer of oil and natural gas, and while it has more coal reserves than any other country, it's only the fourth-largest producer of coal, behind China, India and Indonesia.

Power Magazine reported that the Tennessee Valley Authority (TVA) has selected Bechtel, Sargent & Lundy, and GE Hitachi to spearhead the initial planning and design phases for a potential BWRX-300 small modular reactor (SMR) at its Clinch River Nuclear site in Oak Ridge, Tennessee.

Washington Examiner reported that coal generation has soared due to several winter storms and cold snaps.

Energywire reported that President Trump failed to boost coal in his first administration but is betting that surging energy demand will revive the industry.

Argus reported that Trump said he plans to give developers "very rapid approvals" to build data centers running artificial intelligence (AI) software, as well as off-grid electric generating facilities to power them, and using any generator fuel they want.

Commodity Prices

Commodity Price - Snapshot

Metals Prices	Date	Price
Cobalt Spot Price ($/lb)	1/27/25	$11.02
Copper Spot Price ($/lb)	1/27/25	$4.20
Gold Spot Price ($/ounce)	1/27/25	$2,767.10
Lead Spot Price ($/lb)	1/27/25	$0.88
Lithium Spot Price ($/kg)	1/27/25	$10.73
Molybdenum Spot Price ($/kg)	1/27/25	$64.73
Nickel Spot Price ($/lb)	1/27/25	$7.06
Silver Spot Price ($/ounce)	1/27/25	$30.58
Steel HRC Price ($/mt)	1/27/25	$732.85
Steel Rebar Price ($/mt)	1/27/25	$456.34
Zinc Spot Price ($/lb)	1/27/25	$1.28
Energy Prices	**Date**	**Price**
Coal Price - Australian Premium Coking Coal Futures ($/mt)	1/27/25	$190.00
Coal Spot Price - Central Appalachian ($/st)	1/24/25	$76.50
Coal Spot Price - Newcastle futures ($/mt)	1/27/25	$114.04
Coal Spot Price - Rotterdam futures ($/mt)	1/27/25	$110.25
Natural Gas Spot Price - Henry Hub ($/mmbtu)	1/22/25	$3.89
Uranium Spot Price ($/lb)	1/27/25	$68.70

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

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

NMA
National Mining Association

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