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# MINE Update

MINING INDUSTRY NEWS E-COMM UPDATE

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## This Week in The News

With tariffs and Department of Government Efficiency (DOGE) activity dominating the headlines, action on Capitol Hill focused on the looming March 14 budget deadline and resumption of congressional committee hearings. 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.

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## Safety Share

February is American Heart Month. The National Safety Council offers [online CPR and AED training](#).

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## Trump EPA Requests Abeyance in NMA CAA/CWA/BLM Litigation

Several requests have gone into federal courts over the last week to place ongoing litigation matters that the NMA is involved with into abeyance to allow new leadership to review the underlying rules. The U.S. Environmental Protection Agency (EPA) has requested 60-day pauses in litigation challenging the [Ozone Transport Rule](#) and [Clean Power Plan \(CPP\) 2.0](#) in the U.S. Court of Appeals for the District of Columbia Circuit (D.C. Circuit). The U.S. Supreme Court stayed the Ozone Transport Rule last year, with merits briefing in the case concluding last August. The D.C. Circuit has not scheduled oral argument given that supplemental briefing in the case that is ongoing. In the CPP 2.0 litigation, the Supreme Court did not grant industry and states requests for an emergency stay, deferring instead the D.C. Circuit's expedited briefing schedule last year. Oral argument occurred on Dec. 6, 2024, so abeyance is necessary to avoid a potential unfavorable decision.

EPA has also requested that litigation challenging the definition of waters of the U.S. (WOTUS) be put on hold in federal courts in [North Dakota](#) and [Texas](#), with 60-day status reports. The West Virginia led state coalition in the North Dakota case opposed EPA's request. The North Dakota case was fully briefed on the merits last year, while in Texas the court ordered supplemental briefing due this week. The Texas District Court has granted EPA's stay request.

The Bureau of Land Management (BLM) has similarly asked for a 60-day pause in litigation challenging the Landscape and Conservation Health Rule in several federal district courts, including the NMA's challenge in [Utah](#). The NMA joined a

broad industry coalition in this case and filed our opening brief in December. The Friday before inauguration, the BLM preemptively filed a response strongly defending the rule. A stay is necessary to allow new leadership to reassess the rule in accordance with [Secretarial Order 3418](#) on “Unleashing American Energy.”

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## Court Vacates Biden NEPA Phase 2 Rule



The U.S. District Court for the District of North Dakota recently [ruled](#) in favor of 21 states in overturning the Biden administration’s 2024 final Council on Environmental Quality (CEQ) National Environmental Policy Act (NEPA) Phase 2 [rule](#). Recall, the NMA [opposed](#) finalization of the rule due to its failure to acknowledge the procedural nature of NEPA and its impermissibly outcome driven requirements that would unfairly hinder mining. In the decision, *Iowa v. Council on Envntl. Quality*, the court explicitly held that CEQ lacks rulemaking authority.

The *Iowa* decision is the latest blow to CEQ’s regulatory authority. The decision

followed a surprising Nov. 12, 2024, ruling from the U.S. Court of Appeals for the District of Columbia Circuit (DC Circuit) in ***Marin Audubon Society v. Federal Aviation Administration*** that NEPA provides no support for CEQ's authority to issue binding regulations. In a 2-1 panel decision, the DC Circuit concluded that the long-accepted basis of CEQ's regulatory authority – **EO 11911** issued by President Carter in 1977 – could not confer authority that Congress had not granted by statute. Notably, the majority in *Marin Audubon* came to this conclusion even though no parties in the case had raised the issue of CEQ's authority. Building on the *Marin Audubon* decision, President Trump issued a day-one EO, "**Unleashing American Energy**," that revoked the Carter EO and directed CEQ to propose rescission of its regulations and develop guidance for agencies on NEPA implementation within 30 days. The *Iowa* decision is expected to be appealed to the U.S. Court of Appeals for the Eighth Circuit.

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## **SEC Statement on Climate-Related Disclosure Litigation**

Yesterday, Securities and Exchange Commission (SEC) Acting Chairman Mark Uyeda issued a **statement** regarding the March 2024 **final rule**: "The Enhancement and Standardization of Climate-Related Disclosures for Investors." Calling the rule "deeply flawed," Uyeda emphasizes that the rule "could inflict significant harm on the capital markets and our economy." The final rule, while administratively stayed by the SEC, is currently being challenged in the U.S. Court of Appeals for the Eighth Circuit. Uyeda asserts that the Commission's briefs previously submitted in the case "do not reflect [his] views," highlighting his and Commissioner Pierce's objections to the rule last year. Accordingly, he has directed Commission staff to ask the court not to schedule oral argument "to provide time for the Commission to deliberate and determine the appropriate next steps in these cases." Commission Crenshaw

issued a [statement](#) strongly disagreeing with this action.  
calls.

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## President Trump Nominates Wayne Palmer as MSHA Assistant Secretary



President Trump yesterday nominated Wayne Palmer to serve as the Assistant Secretary of Labor for the Mine Safety and Health Administration (MSHA). NMA members may already be familiar with Palmer from his tenure at MSHA under the first Trump administration, where he served as principal deputy assistant secretary. Within the last few weeks, he returned to the Department of Labor to support the Trump transition team, but immediately prior to that he was the executive vice president of the Essential Minerals Association, a trade association that primarily represents industrial minerals companies. Previous positions include senior manager of congressional relations at the nonpartisan Center for Presidential Transition and numerous years as a congressional

staffer, including as chief of staff to then Senate Republican Conference Chairman Rick Santorum. He holds a B.A. in Political Science from Penn State and a Master of Government Administration from the University of Pennsylvania.

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## White House Puts Forward Nominations for Key DOI Slots

Over the past two weeks the White House has moved to fill key political slots at the Department of the Interior (DOI). Given the DOI's management of 245 million acres of federal land and 700 million acres of federal mineral interests, leadership at the department is of particular interest to the mining industry. Last week, the White House nominated [Leslie Beyer](#) as assistant secretary for lands and minerals management, a role that oversees both the Bureau of Land Management (BLM) and Office of Surface Mining Reclamation and Enforcement. Beyer most recently led the Energy Workforce & Technology Council, an energy technology and services association particularly in the oil industry. Simultaneously, [William Doffermyre](#), an oil and gas attorney, was nominated as DOI Solicitor and [Andrea Travnicek](#) as assistant secretary for water and science. Travnicek served as director of the North Dakota Parks & Recreation Department under Governor Burgum and held a number of DOI positions under the first Trump administration.

The Trump administration today named [Kathleen Sgamma](#), currently president of the Western Energy Alliance, an oil and gas advocacy group, as the new BLM director. She has significant experience on public lands matters, having testified before Congress on the need for permitting certainty, lands access and the importance of energy security, among other topics. Additionally, the Western Energy Alliance joined the NMA in challenging the BLM's final Landscape and Conservation Health Rule that elevated conservation of public

lands over resource development. Other DOI nominees today include Brian Nesvik, former director of the Wyoming Game and Fish Department as Fish and Wildlife Service director and geologist Ned Mamula as director of the U.S. Geological Survey. Mamula currently is chief geologist at GreenMet Advisory, a consultancy and investment firm and was a director in the Department of Energy's critical minerals program during the first Trump term.

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## Russ Vought and Jamieson Greer Nomination Updates



Last week, the Senate took action on several of President Trump's cabinet nominees. [Russ Vought](#), the nominee to lead the U.S. Office of Management and Budget, was confirmed by the Senate on February 6 by a vote of [53 to 47](#). Additionally, the Senate Committee on Finance held a confirmation hearing for [Jamieson Greer](#), President Trump's nominee to serve as the U.S. Trade Representative, a post critical to negotiating and implementing trade agreements and investor protections with foreign nations. A link to the hearing video and witness testimony can be found [here](#). Mr. Greer expressed strong support for energy products being manufactured in the U.S. and safeguarding

the supply chain to support domestic companies against Chinese subsidies. Mr. Greer was favorably reported out of the Senate Finance Committee by a vote of [15 to 12](#). The NMA has put together a confirmation tracker in order to follow the hearings and confirmation votes for senior Trump administration nominees. Please find a link to the tracker [here](#). A full list of senior officials selected to serve in the Trump administration can be found [here](#).

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## **House Natural Resources Minerals Hearing on the Importance of Mining to National Security**

Last Thursday, the House Natural Resources Subcommittee on Energy and Mineral Resources held a hearing titled "Now Ore Never: The Importance of Domestic Mining for U.S. National Security." Please find a link to the hearing [here](#) and the committee's Hearing Memo [here](#). The hearing highlighted the importance of minerals to national security and the growing vulnerabilities that exist with a global mineral supply chain that is largely controlled by China. Chinese mineral export bans, tariff retaliations, and market manipulation tactics were part of the discussion, as was the duplicative and lengthy mine permitting process in the U.S. NMA member McKinsey Lyon (Vice President of External Affairs for Perpetua Resources), Dr. Morgan Bazilian (Director of the Payne Institute for Public Policy at the Colorado School of Mines), and Jeremy Harrell (CEO of ClearPath Action) testified on behalf of the majority while Dr. Dustin Mulvaney (Environmental Studies Professor at San Jose State University) testified on behalf of the minority. Please find a link to the NMA's hearing memo [here](#), which includes key hearing takeaways. Ahead of the hearing, the NMA worked with the committee and congressional staff to provide additional background and information as well as witness questions to help individual offices prepare. The NMA will continue to work with the

committee to support permitting reforms, access to mineralized federal lands, and reduce regulatory burdens on the mining industry.

## **NMA Briefs House and Senate Western Caucus Staff on Industry Priorities**



On Friday, the NMA's Vice President of Government and Political Affairs, Justin Prosser, spoke at the House and Senate Western Caucus' (WC) monthly bicameral Staff Policy Briefing. In the room were individual office and committee staff as well as staff from congressional leadership offices, House WC Chairman Doug LaMalfa (R-Calif.), the Department of Energy, and the Department of the Interior. Justin discussed the industry's priorities for the 119th Congress, including permitting, reconciliation, and opportunities to work with the Trump administration in support of recent executive and secretarial orders related to domestic energy and mineral supply chains. He also emphasized the industry's desire to be a resource for Congress and the administration to address and advance policy priorities benefiting the domestic mining industry.

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## House T&I Committee Holds Hearing on Clean Water Act Permitting

Yesterday the House Transportation and Infrastructure Subcommittee on Water Resources and Environment held a [hearing](#) on “America Builds: Clean Water Act Permitting and Project Delivery.” The purpose of the hearing was to explore ways to streamline the CWA permitting process to ensure critical energy and infrastructure projects can move forward. Majority witnesses included Robert Singletary, Executive Director of the Oklahoma Department of Environmental Quality; Noah Hanners, Executive Vice President of Nucor Corporation; and Buddy Hasten, President and CEO of the Arkansas Electric Cooperative Corporation on behalf of the National Rural Electric Cooperative Association (NRECA). The minority witness was Shawn LaTourette, Commissioner of the New Jersey Department of Environmental Protection. In advance of the hearing, the NMA helped elevate the mining industry’s priorities by coordinating with NRECA, submitting [testimony](#) for the record, and leading a [coalition letter](#) supporting clear CWA permitting rules and processes. Key themes in the hearing included the importance of cooperative federalism and the role of states in managing their own water resources, the importance of the Corps’ nationwide permit program, and other needed permitting efficiencies.

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## NMA’s Richard Russell Speaks at the 2025 Miami Coal Forum



This morning, NMA Senior Vice President for Government and Political Affairs Richard Russell spoke at the 2025 Miami Coal Forum as part of a panel on regulatory and legislative affairs chaired by Lorali Simon of NMA member Usibelli Coal Mine. He was joined on the panel by the CEO of Western Fuels, Adam Anderson, also an NMA member, and Michelle Bloodworth from America's Power. Richard emphasized the dramatic changes that are taking place in Washington in President Trump's second term. He outlined how the NMA is working with the new Republican congress and administration to promote the critical role coal plays in meeting our nation's need for reliable and affordable energy. There was consensus on the panel that coal mining, including on federal lands, is critical to U.S. national and economic security.

## NMA and Third Parties In the News

[DC Journal](#) (D.C.) carries an op-ed by Rich Nolan in which he argues that, to achieve Trump's goal of jumpstarting U.S. mineral production, we now need to use all the tools available to the administration and Congress to tear down self-imposed barriers while also strategically leveling the playing field against foreign anticompetitive trade practices.

[\*\*Markets Insider\*\*](#) quotes the NMA on the news that China hit back at the White House for imposing 10 percent tariffs on Chinese exports.

From our third parties, [\*\*MSN.com\*\*](#) (USA), [\*\*Yahoo\*\*](#) (USA), [\*\*Reno Gazette Journal\*\*](#) (Nev.), [\*\*New Castle News\*\*](#) (Pa.), [\*\*Bryan Times\*\*](#) (Ohio) [\*\*The Missoulian\*\*](#) (Mont.), [\*\*Harrisburg Patriot News\*\*](#) (Pa.), [\*\*Elko Daily Free Press\*\*](#) (Nev.), [\*\*Johnstown Tribune Democrat\*\*](#) (Pa.), [\*\*Fairbanks Daily News Miner\*\*](#) (Alaska), [\*\*Bakersfield Californian\*\*](#) (Calif.), [\*\*Mesabi Tribune\*\*](#) (Minn.), [\*\*Las Vegas Sun\*\*](#) (Nev.) and [\*\*Deseret News\*\*](#) (Utah) carry an op-ed by retired brigadier general John Adams in which he argues now is the moment to vastly expand our National Defense Stockpile and use the authority afforded the Department of Defense to ramp up domestic mineral production, rebuilding the secure supply chains our economic and national security require.

[\*\*White Mountain Independent\*\*](#) (Ariz.) carries an op-ed by Robert Chase, an emeritus professor of petroleum engineering and geology at Marietta College in Ohio, in which he argues in favor of supporting local mining over chasing minerals in the Arctic Circle.

## Mining and Energy News

[\*\*Bloomberg\*\*](#) reports the US should stop the closure of coal-fired power plants, Energy Secretary Chris Wright said, adding the fuel source would be essential to the nation's power system for decades to come.

[\*\*Reuters\*\*](#) and others reported that "China announced sweeping export controls last week targeting five metals used across defense, clean energy and other industries, minutes after an additional 10 percent tariff on Chinese goods imposed by U.S. President Donald Trump came into effect." The decision to

restrict tungsten, tellurium, bismuth, molybdenum and indium is the latest attempt by China to weaponize its dominance in the mining and processing of a host of critical minerals vital to everything from smartphones and electric car batteries to infrared missiles and ammunition.

**[E&E News PM](#)** reported that President Donald Trump wants to strike a deal with Ukraine that would link access to the country's valuable minerals as a condition for billions of dollars in U.S military aid to fight Russia.

The **[Energy Information Administration's](#)** (EIA) recent *Today in Energy* article indicates that U.S. coal exports reached a six-year high in the month of June 2024. "U.S. coal exports in June 2024 totaled 10 million short tons, the most in a month since October 2018."

**[Mining.com](#)** reported that Indonesia produced a record 836 million metric tons of coal in 2024, nearly 18 percent above its target of 710 million tons, and beating 2023 output of 775 million tons, the previous record. Indonesia also set a record for exports, shipping about 555 million tons of coal last year, according to ministry data.

**[Greenwire](#)** reported that U.S. coal, critical minerals and liquefied natural gas this week again emerged as a bull's-eye in an escalating trade war between President Donald Trump and China. it would impose a 15 percent tariff on U.S. coal — from anthracite to coking coal — and LNG, and a lower 10 percent tariff on crude oil, agricultural machinery, large-displacement cars and pickup trucks. The measures take effect Feb. 10.

**[Mining Journal](#)** reported that China and Indonesia together accounted for 65 percent of global refined nickel production in 2023.

**[Greenwire](#)** reported that South African officials rebuked Trump and his top adviser, tech billionaire Elon Musk, at a major African mining conference last

Monday, urging countries throughout the mineral-rich continent to cut off exports to the U.S. of cobalt, nickel and rare earth elements if the Trump administration follows through on his vow to cut off aid to South Africa.

In a recent [Today in Energy](#) article, EIA found that in New England, coal and oil plants offset curtailed generation from natural gas-fired power plants from January 18 to January 22. Prices for natural gas were high, and supplies were short during this period because of more demand for natural gas from other consumers, such as homes and businesses.

[Argus](#) reported that generators in the PJM Interconnection, Midcontinent Independent System Operator (MISO) and Southwest Power Pool (SPP) dispatched 1.5 percent -17 percent more coal power in January than they had a year earlier, according to an analysis of daily real-time data published by the grids. Overall electricity output in those three grids climbed by 3 percent-6.5 percent over the same time period.

[E&E News](#) reported that that President Trump could repeal, but not replace, Biden's power plant rules.

[Argus](#) reported that U.S. coal exports increased to six-year high of 107.6 million short tons, with metallurgical also reaching its highest level since 2018, of 56.9 million tons. U.S. thermal coal exports for 2024 rose to a six-year high of 50.7 million short tons from 49.1 million short tons in 2023, thanks to gains in much of the first three quarters of the year.

[Reuters](#) reported on analysis by global security nonprofit C4ADS finding that Chinese firms control about 75 percent of Indonesian nickel capacity placing U.S. and European auto makers at a competitive disadvantage.

[Steel Industry News](#) reported that the reintroduction of the Trump-era 232 tariffs on steel imports in the coming months is expected to have far reaching

effects on steel trade dynamics and make domestic steel more competitive.

[Reuters](#) reported that President Trump said Nippon Steel's \$14.9 billion bid for U.S. Steel would take the form of an investment instead of a purchase on Friday, even as two sources familiar with the matter said the Japanese steel company had not withdrawn its bid.

The [World Gold Council](#) reported that its 2024 *Gold Demand Trends* report reveals that total annual gold demand hit a new, record high of 4,974 tons, driven by strong, sustained central bank buying and growth in investment demand. The combination of record high gold prices, and volumes resulted in the highest ever total value of demand at \$382 billion.

[Reuters](#) reported that President Trump said Sunday he would impose a 25 percent tariff increase on all steel and aluminum imports into the U.S. on top of existing duties and a further set of reciprocal tariffs later in the week, drawing warnings of retaliation from trade partners.

## Commodity Prices

<b>Commodity Price - Snapshot</b>		
<b>Metals Prices</b>	<b>Date</b>	<b>Price</b>
Cobalt Spot Price (\$/lb)	2/10/25	\$9.77
Copper Spot Price (\$/lb)	2/11/25	\$4.58
Gold Spot Price (\$/ounce)	2/11/25	\$2,906.85
Lead Spot Price (\$/lb)	2/11/25	\$0.89
Lithium Spot Price (\$/kg)	2/11/25	\$10.49
Molybdenum Spot Price (\$/kg)	2/11/25	\$64.18
Nickel Spot Price (\$/lb)	2/11/25	\$7.01
Silver Spot Price (\$/ounce)	2/11/25	\$31.73
Steel HRC Price (\$/mt)	2/11/25	\$759.60
Steel Rebar Price (\$/mt)	2/11/25	\$438.47
Zinc Spot Price (\$/lb)	2/11/25	\$1.28
<b>Energy Prices</b>	<b>Date</b>	<b>Price</b>
Coal Price - Australian Premium Coking Coal Futures (\$/mt)	2/11/25	\$196.00
Coal Spot Price - Central Appalachian (\$/st)	2/7/25	\$76.50
Coal Spot Price - Newcastle futures (\$/mt)	2/11/25	\$104.77
Coal Spot Price - Rotterdam futures (\$/mt)	2/10/25	\$102.90
Natural Gas Spot Price - Henry Hub (\$/mmbtu)	2/5/25	\$3.22
Uranium Spot Price (\$/lb)	2/10/25	\$68.40

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

**CORESafety**



In the February edition of CORESafety TV, we discuss CORESafety's Module Number one, leadership and leadership development.



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