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# MINE Update

MINING INDUSTRY NEWS E-COMM UPDATE

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Issue 8 | February 26, 2025

Brought to you by the National Mining Association

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## This Week in The News

As Congress works to adopt a budget in the face of a looming government shutdown, the executive branch continues to push forward Trump administration priorities at breakneck speed. 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

March is National Ladder Safety Month. The American Ladder Institute has a variety of safety resources proving "[every step matters.](#)"

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## Trump EO Launches Deregulatory Review



Last week, President Trump signed [Executive Order \(EO\) 14219](#), "Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative," launching a formal look-back process to identify past regulations to revise or eliminate them. According to the EO, the administration's policy is "to focus the executive branch's limited enforcement resources on regulations authorized by constitutional Federal statutes, and to commence the deconstruction of the overbearing and burdensome administrative state."

Specifically, the EO directs agencies to identify within 60 days (or April 20, 2025) regulations and guidance that meet the following criteria:

- unconstitutional regulations and regulations that raise serious constitutional difficulties, such as exceeding the scope of the power

vested in the federal government by the Constitution;

- regulations that are based on unlawful delegations of legislative power;
- regulations that are based on anything other than the best reading of the underlying statutory authority or prohibition;
- regulations that implicate matters of social, political, or economic significance that are not authorized by clear statutory authority;
- regulations that impose significant costs upon private parties that are not outweighed by public benefits;
- regulations that harm the national interest by significantly and unjustifiably impeding technological innovation, infrastructure development, disaster response, inflation reduction, research and development, economic development, energy production, land use, and foreign policy objectives; and
- regulations that impose undue burdens on small business and impede private enterprise and entrepreneurship.

Agencies must coordinate with DOGE team leads and the Office of Management and Budget Director (OMB) to initiate this deregulatory review process, consult the Attorney General as appropriate in identifying regulations, and submit the final list to the Office of Information and Regulatory Affairs (OIRA) within OMB. The OIRA administrator is directed to consult with agency heads to add deregulatory ideas to the next Unified Regulatory Agenda, typically published in May or June.

During the first Trump term, agencies requested public comment on deregulatory actions and opened a docket. Given the short 60-day deadline, it is unclear whether that same process will happen again. The NMA previously

shared our priority deregulatory action items with the administration's transition teams and the White House once President Trump took office. We will continue to have these discussions as new political leaders are placed in the federal departments and agencies overseeing regulations and policies important to the mining industry. If a formal consultation process is opened for this EO, we are prepared to engage.

Separately, the EO directs agencies "to preserve their limited enforcement resources by generally de-prioritizing actions to enforce regulations" that are not clearly required by statute or "go beyond the powers vested in the Federal Government by the Constitution." The EO opens the door to terminating enforcement proceedings that "do not comply with the Constitution, laws, or Administrative policy." This provision is a new and novel assertion of enforcement discretion while the administration develops its deregulatory plan.

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## Trump Issues Rule to Cancel NEPA Regulations and Guidance to Agencies Following EO on Unleashing American Energy

The administration is acting quickly to execute the provisions of Executive Order (EO) 14154, [Unleashing American Energy](#), related to the Council on Environmental Quality's (CEQ) implementation of the National Environmental Policy Act (NEPA). CEQ recently published (1) an [interim final rule](#) (IFR) to remove its NEPA regulations and (2) [guidance](#) to federal agencies to expedite permitting processes and meet NEPA deadlines established in the Fiscal Responsibility Act of 2023 (FRA). Comments on the IFR are due on March 27.

EO 14152 built upon a Nov. 2024, surprising 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. The EO adopts the court's rationale that the Carter-era **EO 11991** could not confer authority that Congress had not granted and revokes the Carter EO. It further directs CEQ to propose rescission of its regulations and develop guidance for agencies on NEPA implementation within 30 days. Notably, the *Marin Audubon* decision was followed by a Feb. 3, 2025, federal district court decision in ***Iowa v. Council on Env'tl. Quality*** that vacated the Biden administration's final 2024 CEQ NEPA Phase 2 **rule**, including on the ground that CEQ lacks rulemaking authority. In vacating the CEQ's phase 2 rule, the *Iowa* judge noted that the 2020 Trump administration CEQ regulations were now back in effect.

The IFR, with an effective date of April 11, would completely eliminate CEQ's NEPA implementing regulations. The IFR concludes that CEQ "may lack authority to issue binding rules on agencies in the absence of the now rescinded EO 11991" as the plain text of NEPA itself does not appear to directly grant CEQ such power. The IFR also recognizes that the removal of CEQ's regulations does not strip agencies of discretion to continue following similar procedures, as many agencies have implementing procedures that largely conform to CEQ's regulations. Importantly, the IFR directs agencies, "in defending actions they have taken, to continue to rely on the version of CEQ's regulations that was in effect at the time the agency action under challenge was completed."

The new CEQ guidance contains a list of specific considerations for agencies as they revise or establish NEPA implementation procedures including: facilitating project sponsored preparation of environmental documents; ensuring compliance with FRA deadlines; limiting alternatives to those that are technically and economically feasible and that meet the purpose and need of the proposed action; limiting consideration of impacts to those that are

reasonably foreseeable rather than all cumulative effects; and clarifying that minimal funding or financial assistance does not trigger NEPA analyses where a federal agency does not exercise sufficient control and responsibility over subsequent use of such assistance. The guidance is also intended to promote more consistency and predictability among agency NEPA procedures. CEQ gives agencies 12 months to develop or revise their procedures to align with the guidance. All agencies are required to provide a proposed schedule within 30 days and regularly consult with CEQ as they update their procedures. Please see the NMA's [Feb. 20 memorandum](#) for more details on the IFR and guidance.

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## **Trump EO Orders a 232 Trade Investigation on Copper**

Last night, President Trump signed an [executive order](#) initiating a national security investigation into copper imports. This directive instructs the Secretary of Commerce to assess whether foreign copper imports compromise U.S. economic and national security. The investigation will be conducted under Section 232 of the Trade Expansion Act of 1962, the same provision previously utilized for steel and aluminum tariffs and is due to the White House in 270 days. This review could lead to new trade measures, including potential tariffs, export controls, or incentives to increase domestic production; and policy recommendations for permitting reforms, and enhanced recycling initiatives. The NMA's trade working group will review this EO and other trade related matters today.

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## Senate Bipartisan Critical Mineral Consistency Act Reintroduced



Yesterday, Senate Energy and Natural Resources (ENR) Committee Chairman Mike Lee (R-Utah) reintroduced the bipartisan and bicameral [Critical Minerals Consistency Act of 2025](#). Senator Mark Kelly (D-Ariz.) joined as the Democrat co-lead. The bill 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 automatically placed on the DOI list. Senators Jon Ossoff (D-Ga.), Bill Cassidy (R-La.), John Curtis (R-Utah), and Jim Risch (R-Idaho) cosponsored the legislation. The House companion, H.R. 755, was introduced in late January. Please find a link to the Senate ENR's press release [here](#). The NMA will continue support efforts to advance the Critical Minerals Consistency Act in both the House and Senate as a stand-alone bill or part of a larger package.

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## House Oversight Committee Examines Energy Reliability



Today, the House Committee on Oversight and Government Reform, Subcommittee on Economic Growth, Energy Policy, and Regulatory Affairs held its first hearing of the 119th Congress, focusing on the challenges and opportunities in strengthening America's energy reliability. Titled "*Leading the Charge: Opportunities to Strengthen America's Energy Reliability*," the hearing, led by Subcommittee Chairman Eric Burlison (R-Mo.), brought together energy policy experts to discuss strategies for improving the nation's power grid, fostering innovation, and reducing energy costs for consumers. Chairman Burlison emphasized the need to roll back excessive regulations that hinder domestic energy development and contribute to rising costs for American families and businesses. He reiterated the Subcommittee's commitment to supporting the Trump administration's energy agenda by streamlining permitting processes and advancing policies that promote U.S. energy independence.

The panel of witnesses included Alex Epstein, President and Founder of the

Center for Industrial Progress; Mandy Gunasekara, former Chief of Staff at the U.S. Environmental Protection Agency; and Alex Herrgott, Chief Executive Officer and President of The Permitting Institute. Witnesses provided insight into regulatory barriers impacting energy production, coal-based power generation, grid reliability challenges, and policy solutions to restore American energy dominance. The witnesses also stressed the need for permitting reform, reduced environmental overreach, and market stability.

The hearing reinforced the Oversight Committee’s commitment to ensuring a stable and affordable energy supply, reducing bureaucratic red tape, and fostering economic growth through domestic energy production. As electricity demand continues to rise, lawmakers and industry leaders are pushing for reforms that prioritize affordability, reliability, and American energy security. The NMA worked with the committee before the hearing to emphasize the importance of affordable and reliable energy and permitting reform.

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## House Passes Budget Resolution Initiating “One-Bill” Reconciliation Process



Last night, the House passed a budget resolution after the moderate and conservative wings of the Republican conference came together to support Speaker Mike Johnson's (R-La.) plan for a single reconciliation bill covering both taxes and spending-related matters from energy to Medicare. The resolution was approved by a party-line vote of 217-215 with only one Republican voting against the measure.

The House budget resolution is the first step in the chamber's reconciliation process and provides top-level numeric instructions for individual committees to put together reconciliation text within their jurisdiction. The House's budget resolution would allow for one bill with all of President Trump's priorities included which the President has identified as his preferred option.

Last week, the Senate passed its budget resolution, a "Plan B" in case the House version failed to pass, on a party-line vote of 52 to 48. The Senate version called for two reconciliation bills: the first, which the Senate budget resolution unlocked, would cover border and energy provisions. The second would include tax provisions.

The one-bill strategy now has the upper hand. The Senate must now pass a one-bill resolution to get the two houses of Congress in sync. There is still friction between the chambers over certain tax provisions. For example, the House resolution assumes the Trump tax cuts will be extended for 10 years, while the Senate wants to make them permanent. Passing a unified budget resolution through both chambers will move the process forward and allow committees to begin finalizing the actual reconciliation text which will need to be passed through both chambers as well.

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## **Legislation Introduced to Codify Mining as a Covered Project**

Last week, Representatives Jefferson Shreve (R-Ind.) and Blake Moore (R-Utah) introduced the Protecting Domestic Mining Act of 2025 ([H.R. 1501](#)). This legislation would codify “mining” as a covered sector under the Federal Permitting Improvement Steering Council (FPISC) in line with the council’s [January 2021 vote](#), a longstanding priority of the NMA. As a covered sector, mining would be eligible for the expedited permitting process available under section 41 of the Fixing America's Surface Transportation Act (FAST-41). Additionally, the legislation would also prohibit the FPISC from finalizing a [September 2023 proposed rule](#) limiting mines eligible for the expedited FPISC permitting process to only those that produce minerals on the U.S. Geological Survey’s Critical Minerals List. Please find a link to Rep. Shreve’s press release [here](#). The NMA will work with the bill sponsors and committee staff on efforts to advance this legislation.

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## Washington Coal Club Hosts Congressional Coal Caucus Co-Chairs and Rep. Tom Tiffany for First Luncheon of 2025



The Washington Coal Club successfully kicked off its 2025 luncheon series with an engaging and well-attended discussion featuring the Co-Chairs of the Congressional Coal Caucus, Rep. Harriet Hageman (R-Wyo.) and Rep. Carol Miller (R-W.Va.). The event, held on February 25 in the Capitol Visitors Center,

was a great success, drawing several Senate and House staffers, industry representatives, and government officials.

In addition to the Co-Chairs' insights on coal-related policies and legislative priorities, Congressman Tom Tiffany (R-Wis.) joined the panel to provide attendees with key updates on the federal budget, the Bureau of Land Management's Resource Management Plans, and an inside look at the reconciliation process. The conversation covered pressing issues such as permitting reform, energy security, and the role of coal in maintaining a reliable power grid. A lively Q&A session allowed for a robust exchange of perspectives between policymakers and industry stakeholders.

With a strong start to the year, the Washington Coal Club looks forward to continuing its mission of educating and fostering meaningful dialogue on coal-related issues throughout 2025.

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## **NMA Discusses Permitting with the American Conservation Coalition**



Yesterday, the NMA's Vice President of Government and Political Affairs, Justin Prosser, spoke to participants of the American Conservation Coalition about opportunities and challenges to enact permitting reform. Others on the panel included Pat Reiten (Berkshire Hathaway Energy), Christina Hayes (Clean Energy Grid), and Cynthia Niemeyer (American Petroleum Institute). Justin

discussed the need for judicial reforms as well as predictability and certainty in the permitting process to unlock domestic energy and mineral supply chains. The NMA will continue to work with committee staff in the House and Senate to advance mine permitting reforms that ensure made in America means mined in America.

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## **Congressman Mike Carey Fundraiser**



Yesterday, MINEPAC, COALPAC, Alliance CoalPAC, CATPAC, Peabody Energy Corporation PAC and numerous individual NMA members hosted a fundraiser for Congressman Mike Carey (R-Ohio) at NMA headquarters. Congressman Carey is a longtime friend of the mining community and sits on both the House Ways and Means Committee and the Budget Committee. Congressman Carey joined the event before heading to the House floor for a series of votes which included passage of the House budget resolution setting the stage for reconciliation. At the event, Congressman Carey predicted passage of the budget resolution and discussed the reconciliation tax and spending cuts process that will follow in the House and Senate. In addition to his positions on Budget and Ways and Means, Congressman Carey is an active member of the

Congressional Coal Caucus, Congressional Steel Caucus and the House Western Caucus.

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## **EPA Extends Comment Deadline on PFAS Human Health Criteria**

The U.S. Environmental Protection Agency (EPA) recently extended the comment deadline on its proposed Per- and polyfluoroalkyl substances (PFAS) human health criteria. The NMA joined eight other trade associations in filing an extension request [linked]. The new comment deadline is April 25, 2025. 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](#).

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## **NMA Joins Coalition Letter to EPA on IRIS Toxicological Review of Inorganic Arsenic**

As previously reported, a week before inauguration, EPA released the Integrated Risk Information System (IRIS) [Toxicological Review of Inorganic Arsenic Final Report](#). Despite strong opposition from industry, EPA adopted overly conservative risk values that could serve as a critical source of toxicity information for EPA and other federal agencies, state and local health agencies, and international health organizations. Due to this and that IRIS risk values are often used to support new policies that impact the mining industry, driving regulatory standards arbitrarily lower and potentially

below background levels, the NMA has actively engaged on this matter for decades.

This week, the NMA joined an Arsenic Science Task Force (ASTF) [letter](#) urging EPA Administrator Lee Zeldin to direct the Office of Research and Development to withdraw and remove the final toxicological review of inorganic arsenic from the website. ASTF's letter highlights several inadequacies, including toxicity values for cancer that are 21 times more stringent than the 1995 value and the failure to include recent literature. The letter also criticizes a novel process for deriving noncancer toxicological values. Notably, the letter emphasizes that soil remediation levels based on these new risk values would necessitate massively costly and scientifically unjustified reopening of Superfund and RCRA sites previously considered safe. Lastly, ASTF's letter asserts that EPA's deregulation and workforce optimization efforts should apply to the IRIS program, making this assessment a prime candidate for withdrawal and reconsideration.

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## **Register Now for the NMA Spring Board Meeting**

# Spring Board of Directors and Members Meeting



We look forward to seeing you April 13-15, 2025, in Sea Island, Georgia, for our upcoming Spring Board of Directors and Members Meeting. An agenda follows below. To register for the board meeting, as well as registering a guest (partner, spouse and/or child), please [click here](#). Hotel rooms in the NMA block are on a first-come, first-serve basis. The group rate (\$569 /night) will be available until March 21, 2025, or until the block is full. [Click here](#) to reserve a room at the Sea Island Resort.

## AGENDA

### Sunday, April 13

Noon – 5pm	NMA Lounge Open
Noon – 5pm	Networking and Optional Activities Available
6pm – 10pm	Welcome Dinner

### Monday, April 14

7am – 5pm	NMA Lounge Open
8am – 9am	Manufacturers & Services Board of Governors Meeting
9:15am – 10:30am	Minerals CEO Meeting
10:45am – Noon	Coal CEO Meeting
Noon – 5pm	Networking, Official Golf Tournament and Optional Activities Available
5pm – 6pm	Executive Committee
6pm – 10pm	Reception and Dinner

### Tuesday, April 15

7am – Noon	NMA Lounge Open
9am – Noon	NMA Board of Directors Meeting

## NMA and Third Parties In the News

Rich Nolan is quoted in the [Senate Committee on Energy & Natural Resources](#) release announcing that U.S. Senators Mike Lee (R-Utah), Chairman of the Senate Committee on Energy and Natural Resources, and Mark Kelly (D-Ariz.) introduced the *Critical Mineral Consistency Act of 2025*.

From our third parties, [Frankfort State Journal](#) (Ky.) carries 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.

[Duluth News Tribune](#) (Minn.) 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

[Institute for Energy Research](#) reported that it seems Energy Secretary Chris Wright has noticed China's secret to industrialization: inexpensive coal power.

[Greenwire](#) reported that the USGS and FWS laid off hundreds of staff workers, with BLM likely to be next. The moves were part of broader layoffs within the Interior Department.

[Washington Examiner](#) reported that the Trump administration is swiftly

moving to reform environmental reviews required by federal law in an effort to expedite permitting and approvals for energy projects, infrastructure upgrades, and more.

The [Silver Institute's](#) recent analysis on Above Ground silver stockpiles and prices found that there is no correlation between the overall level of Above-Ground stocks and the silver price. The majority of Above-Ground silver stocks are essentially unavailable to the market regardless of price incentives.

[Argus](#) reported that coal generation regained a profit advantage over most natural gas power in the central and eastern U.S. after arctic air and winter storms descended into those parts of the country last week.

[Steel Industry News](#) provides a comprehensive analysis of the administration's proposed U.S. trade policy of reimposing steel import tariffs from several trading partners.

[E&E News PM](#) reported that the Army Corps of Engineers is still evaluating energy and mining projects that could receive expedited permits under President Donald Trump's "energy emergency" declaration, despite having scrapped an initial list of eligible projects from its website.

[Argus](#) reported that coal loadings for Panamax and Supermax bulkers should be back at full capacity at Hampton Roads port on the easing of winter storm condition, according to logistics firm Capes Shipping.

[Visual Capitalist](#) graphically describes the top U.S. suppliers of aluminum and steel.

The [International Copper Study Group](#) reported that preliminary data indicates that world copper mine production increased by about 2.3 percent in 2024, with concentrate production increasing by 1.9 percent and solvent

extraction-electrowinning (SX-EW) by 4 percent.

The [International Lead Zinc Study Group](#) reported that zinc mine production fell by 2.8 percent globally, influenced by decreases in Canada, China, South Africa and Peru, where output at the large Antamina mine declined substantially.

## Commodity Prices

<b>Commodity Price - Snapshot</b>		
<b>Metals Prices</b>	<b>Date</b>	<b>Price</b>
Cobalt Spot Price (\$/lb)	2/24/25	\$9.77
Copper Spot Price (\$/lb)	2/25/25	\$4.48
Gold Spot Price (\$/ounce)	2/25/25	\$2,909.44
Lead Spot Price (\$/lb)	2/25/25	\$0.90
Lithium Spot Price (\$/kg)	2/25/25	\$10.45
Molybdenum Spot Price (\$/kg)	2/25/25	\$64.58
Nickel Spot Price (\$/lb)	2/25/25	\$6.95
Silver Spot Price (\$/ounce)	2/25/25	\$31.57
Steel HRC Price (\$/mt)	2/25/25	\$908.08
Steel Rebar Price (\$/mt)	2/25/25	\$444.26
Zinc Spot Price (\$/lb)	2/25/25	\$1.27
<b>Energy Prices</b>	<b>Date</b>	<b>Price</b>
Coal Price - Australian Premium Coking Coal Futures (\$/mt)	2/25/25	\$187.83
Coal Spot Price - Central Appalachian (\$/st)	2/21/25	\$76.00
Coal Spot Price - Newcastle futures (\$/mt)	2/25/25	\$101.92
Coal Spot Price - Rotterdam futures (\$/mt)	2/25/25	\$99.75
Natural Gas Spot Price - Henry Hub (\$/mmbtu)	2/19/25	\$7.78
Uranium Spot Price (\$/lb)	2/24/25	\$64.70

Sources: publically available data from [eia.gov](http://eia.gov), [dailymetalprice.com](http://dailymetalprice.com), [tradingeconomics.com](http://tradingeconomics.com), [sgxgroup.com](http://sgxgroup.com), [investing.com](http://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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