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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

Congress remains out of session but will return next week to an agenda dominated by budget issues. Meanwhile, deregulatory activities continue at a rapid pace. 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

Tornado season is upon us in many parts of the country. Occupational Safety and Health Administration and National Oceanic and Atmospheric Administration are working together on a public education effort aimed at improving the way people [prepare for and respond to severe weather](#).

USTR Incorporated NMA Recommendations in Section 301 on Shipping



Last week the U.S. Trade Representative (USTR) announced Section 301 actions targeting China's dominance in the maritime, logistics and shipbuilding sectors. While the NMA supports the administration's efforts to revitalize the U.S. shipping industry and reduce our reliance on China, the initial scope of USTR's proposed remedies would have had severe unintended consequences to domestic mining exports. The NMA engaged directly with USTR to highlight these risks and is pleased that the final announcement reflects some of our recommendations. The NMA will continue to monitor implementation and

remains engaged with the administration to ensure that future actions support, rather than strain, the domestic mining sector.

White House Announces First Wave of Minerals Projects; More Projects “On the Way”



Executive Orders

March 20, 2025

Immediate Measures to Increase American Mineral Production

The White House last week [announced](#) the first wave of minerals projects identified pursuant to Executive Order (EO) 14241, "[Immediate Measures to Increase American Mineral Production](#)." A key EO provision required identification of priority mineral projects for expediting and issuance of relevant permits or approvals. While this initial list includes 10 projects, the announcement specifically notes that “many more projects are expected to be added to the list on a rolling basis over the next few weeks.” Numerous projects identified were included on the extensive list of member projects the NMA submitted to the National Energy Dominance Council, and we will continue to work with the administration for the advancement of additional member

projects that are experiencing permitting delays.

The identified projects will be included on the Federal Permitting Improvement Steering Council dashboard. The dashboard is designed to increase transparency, accountability, and predictability for the permitting review process but does not guarantee permit approvals.

Death Knell for Jewell Coal Leasing Moratorium

The Bureau of Land Management (BLM) last week officially **terminated** the court-ordered National Environmental Policy Act (NEPA) process initiated in 2023 to analyze the potential effects from maintaining or revoking a coal leasing moratorium issued by Obama-era Secretary of the Interior Sally Jewell. This action is the death knell for a moratorium on the leasing of federal coal that was first contemplated in 2016 and successfully challenged in the courts by the NMA. The NEPA process was wrongly required by a 2022 outcome driven court **ruling** imposing an unprecedented novel and indefinite nationwide injunction against federal coal leasing until BLM completed a “sufficient” NEPA analysis of the subsequent Secretary Zinke revocation of the moratorium in 2017. The NMA and the states of Wyoming and Montana were intervenors in the environmental groups’ challenge to the Zinke action and appealed the 2022 district court decision to the U.S. Court of Appeals for the Ninth Circuit (Ninth Circuit). In Feb. 2024, the Ninth Circuit **overturned** the lower court decision, holding that the 2021 Secretary Haaland Order definitively revoked the Zinke Order in its entirety, and that the repeal of the Zinke Order was enough to render the case moot and appropriate for dismissal. As explained by BLM, as a result of the Ninth Circuit decision, there no longer is a Jewell Order moratorium in effect to analyze and therefore rescission and termination of the EIS effort is appropriate.

NMA Secures Stay of Silica Rule

In a significant victory for the mining industry, the U.S. Court of Appeals for the Eighth Circuit on April 11 [granted](#) the NMA's [motion](#) to stay compliance deadlines in the Mine Safety and Health Administration's (MSHA) silica rule pending judicial review. The court made this decision less than 24 hours after the NMA filed a [reply brief](#) emphasizing that the Department of Labor's (DOL) absence of a position on our stay request should not be read as opposition, and that petitioners have shown irreparable harm and a likelihood of success on the merits justifying a stay of the compliance deadlines. We also addressed MSHA's "enforcement pause," arguing that it does not obviate the need for a stay by the court because the pause does not prevent the harms that industry detailed in the stay motion. Prior to this court-ordered stay, members benefited from a separate temporary stay requested by the NMA to provide interim compliance relief as the court considered our request. The rule's compliance deadlines would have kicked in for coal operators on Monday, April 14, 2025, and metal/non-metal operators on April 8, 2026. Our case challenging the Biden silica rule is paused until August 18, 2025, with status reports on the developments in the cases due on June 10, 2025. Based on this scheduling, our reply brief on the merits of the case is due no earlier than Sept. 8, 2025. We will continue to urge MSHA and DOL to formally reconsider this rule and put this case into abeyance pending a reconsideration rulemaking that could address the rule's significant implementation challenges. The additional four months provides time to continue those discussions.

President Trump Grants 2-Year Compliance Exemptions for Mercury Air Toxics Standards



PRESIDENTIAL ACTIONS

REGULATORY RELIEF FOR CERTAIN STATIONARY SOURCES TO PROMOTE AMERICAN ENERGY

During the White House coal event on April 8, President Trump signed a proclamation on "[Regulatory Relief for Certain Stationary Sources to Promote American Energy](#)," invoking Clean Air Act Section 112(i)(4) to exempt plants from compliance with the Mercury Air Toxics Standards (MATS) rule. The President's proclamation criticized the rule for placing "severe burdens on coal-fired power plants," raising "unacceptable risk of the shut down of many coal-fired power plants," and undermining national security by leaving "Americans vulnerable to electricity demand shortages, increased dependence on foreign energy sources, and potential disruptions of our electricity and energy supplies, particularly in times of crisis." Last week, the U.S. Environmental Protection Agency (EPA) [released](#) the [list](#) of stationary sources covered by the President's exemption. **This list covers 68 units at 47 coal plants.** President Trump determined it is in the national security of the United States to invoke Clean Air Act Section 112(i)(4) to exempt plants from compliance with the MATS rule for a period of two years beyond the rule's compliance date (**July 8, 2029**). He based this decision on a determination that the technology to implement the MATS rule does not exist in a "commercially viable form sufficient to allow implementation" by the original

compliance date of July 8, 2027. During the two-year period, these plants "are subject to the compliance obligations as they are currently subject to under the [MATS] as the MATS existed prior to the Rule."

Administration Proposes to Rescind ESA Regulatory Definition of Harm

The U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) (the Services) recently [proposed](#) to rescind the regulatory definition of "harm" in its Endangered Species Act (ESA) regulations. The Services contend that the existing regulatory definition of harm is contrary to the best meaning of the statutory term "take." The ESA itself does not define the term harm. Rather, it prohibits the "take" of endangered species and take is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." However, the existing Services' regulations include a definition of harm that expands the ESA's reach to prohibit actions that impair the habitat of protected species.

The Services conclude that the current definition does not meet the recent U.S. Supreme Court test that agency regulation must match the single, best meaning of the statute. Using this test, the Services determine that the existing definition of harm must be rescinded and that no replacement definition is needed. Ultimately, the Services underscore that "the ESA itself defines "take" and further elaborating on one subcomponent of that definition—"harm"—is unnecessary in light of the comprehensive statutory definition." Importantly, the proposal notes that the revision would be prospective only and would not affect permits that have been granted as of the date the regulation becomes final. Comments on the rescission are due on May 19, 2025.

EPA Takes New Approach to the Clean Air Act Regional Haze Program

On April 18, EPA reversed course on West Virginia's regional haze state implementation plan for the second planning period, publishing a [proposal](#) to approve the state's plan while simultaneously withdrawing the Biden administration's proposal to disapprove it. Buried within the proposal was an unexpected announcement of an entirely new approach to evaluating state regional haze plans. Specifically, EPA announced "that it is the Agency's new policy that, where visibility conditions for a Class I area impacted by a State are below the [uniform rate of progress] and the State has considered the four statutory factors, the State will have presumptively demonstrated reasonable progress for the second planning period for that area." This new policy could be a game-changer because many Class I areas are well ahead of the progress needed to meet the 2064 goal. For such areas, EPA's proposed presumption would allow states greater autonomy than allowed under previous administrations to decide no further controls are necessary, so long as the state also supported that determination by considering the factors typically used by states to define "reasonable progress" (i.e., cost, time to comply, other energy and environmental factors, and remaining useful life). **EPA is accepting comments on the proposal until May 19, 2025.**

NMA Sends Letter to USTR Greer Urging Elimination of Indian Trade Barriers

Today the NMA submitted a letter to U.S. Trade Representative Jamieson Greer, urging the administration to prioritize the elimination of Indian trade barriers impacting U.S. coal, mining equipment, and essential materials used in

domestic mining operations as part of the newly launched Bilateral Trade Agreement (BTA) negotiations. In the letter, the NMA emphasizes the importance of removing both tariff and non-tariff barriers to improve market access for U.S. coal producers and mining equipment manufacturers. The association outlines specific policy recommendations, including recognition of MSHA standards, elimination of burdensome import duties, and stronger protections for U.S. intellectual property. The letter also calls for the removal of tariffs on critical materials like TNT, which is necessary for the U.S. commercial explosives and mining industries and currently lacks domestic production.

EPA Rescinds Guidance on Section 179B Demonstrations Related to International Transport of Air Emissions

Administrator Lee Zeldin recently [announced](#) that the agency is rescinding [guidance](#) on the preparation of Clean Air Act (CAA) Section 179B demonstrations for nonattainment areas affected by international transport of air emissions. According to EPA's press release, "[t]his guidance made it unnecessarily difficult for states to demonstrate that foreign air pollution is harming Americans within their borders." Administrator Zeldin made this announcement after a trip to Arizona where elected officials and business leaders identified international transport of emissions as impacting the state's ability to attain National Ambient Air Quality Standards (NAAQS). Moving forward, "EPA intends to work with state and local air agencies to develop the evidence necessary to grant regulatory relief under CAA Section 179B." EPA's treatment of Section 179B demonstrations recently also created a controversy in Utah when the prior administration refused the state's request to invoke the exemption to shield the Northern Wasatch Front from reclassification to serious nonattainment with the 2015 ozone NAAQS. Additional information on this action and the NMA's prior involvement is available [here](#).

AGs Rally for Electricity Production



On April 9, the Republican Attorneys General Association held an Energy Summit in Houston, Texas. Fourteen attorneys general participated in the summit covering a variety of topics related to the U.S. energy industry. The NMA's Jerry Mullins presented as a panelist during the Electricity Reliability session, highlighting the electricity crisis that is quickly approaching. Attorneys general across the country have consistently commented on concerns that domestic energy production is needed now more than ever.

NMA and Third Parties In the News

[DC Journal](#) (D.C.) carries an op-ed by Rich Nolan in which he argues the administration has recognized the value of the coal fleet.

[Inside EPA](#), [Cleveland.com](#), [Tucson Sentinel](#), [OK Energy](#)

[**Today and**](#) others all quote Rich Nolan on President Trump's moves to kickstart a renewal of the US coal industry.

[**Inside EPA**](#) mentions the NMA in a story on GOP attorneys general and industry groups that are backing ExxonMobil in its bid to overturn a landmark appellate ruling that critics say wrongly expands legal standing in citizen enforcement cases to cover plaintiffs not injured by polluters' specific actions.

[**Fisher Phillips**](#) mentions the NMA in a story noting a federal appeals court just gave mine operators a reprieve from its strict new silica rule after temporarily blocking it from going into effect.

From our third parties, [**River Reporter**](#) (N.Y.) and [**Wilkes Barre Times Leader**](#) (Pa.) carry an op-ed by Terry Jarrett, a former State utilities regulator, in which he argues the underused coal fleet is a strategic asset we need to tap.

Mining and Energy News

[**Argus**](#) reported that coal generation in the PJM Interconnection continued to top year-earlier levels in March, as elevated natural gas prices encouraged some gas-to-coal switching.

[**CNBC**](#) reported that President Trump has ordered the proposed acquisition of U.S. Steel by Japan's Nippon Steel to undergo a new review after the deal was blocked by President Biden.

[**Mining Journal**](#) reported that Kinross Gold is acquiring a 9.9 percent stake in Eminent Gold to advance its Nevada projects.

[**The Hill**](#) reported that the British government has not ruled out nationalizing the last plant in the U.K. that makes steel from raw materials as the global trade war increases pressure to preserve the nation's ability to supply domestic industry with the steel it needs.

[**Argus**](#) reported that coal generation in the Electric Reliability Council of Texas (ERCOT) increased from year-earlier levels for a fourth consecutive month in March, supported by higher overall electricity demand and elevated natural gas prices.

[**Climatewire**](#) reported that President Trump made an unprecedented peacetime intervention in the electricity sector, using executive orders to force coal plants to stay open and feed surging energy demand from U.S. tech companies.

[**Argus**](#) reported that Dominion Energy plans to delay closing two of its South Carolina coal plants (Wateree and Williams) by at least 2-3 years to meet recent projections on electricity demand.

[**Politico Pro**](#) reported that the Energy Department is exploring several ways to expand the processing of rare earth elements in the U.S., including the possibility of building those facilities itself.

[**Energywire**](#) reported that the Department of Energy plans to provide enriched uranium fuel to five domestic advanced reactor developers, in a critical step toward deploying next-generation nuclear technologies and reducing reliance on foreign uranium supply chains.

[**Greenwire**](#) reported that the Trump administration had to temporarily halt a rule aimed at protecting miners from silica dust and black lung disease because of federal staffing cuts. The rule will now take effect Aug. 18 as opposed to April 14.

[Coal Age](#) reported that the first vessel carrying U.S. coking coal chartered by Metinvest has arrived in Ukraine. The bulk carrier Bison delivered 80,000 metric tons of coal from the group's US-based enterprise, United Coal Co. The shipment aims to support sustainable steelmaking operations in Ukraine following the suspension of operations at Pokrovske Coal. Metinvest is expecting to receive one vessel with 80,000 metric tons of U.S. coking coal per month to cover some share of the demand at Zaporizhstal JV and Kamet Steel.

[Argus](#) reported the Energy Information Administration (EIA) expects coal generation this year to be marginally higher than it previously thought, but exports will be weaker.

[Wall Street Journal](#) reported that the Trump administration said it is opening an investigation that could result in tariffs on critical minerals, rare-earth metals and the products that use them, such as batteries and consumer electronics.

[Inside EPA](#) reported that EPA is detailing its approval of two-year compliance exemptions to nearly 50 coal power plants from the Biden administration's update to the Mercury & Air Toxics Standards (MATS), prompting criticism from environmentalists.

The Silver Institute reported on their **[World Silver Survey 2025](#)** report showing that silver industrial demand rose 4 percent in 2024 to 680.5 million ounces (Moz), reaching a new record high for the fourth consecutive year.

[Mining.com](#) reported that major players in the U.S. copper industry have called on President Trump to restrict exports of ore and scrap metal rather than imposing tariffs on imports, in his efforts to boost domestic production.

[E&E News PM](#) reported last week that a top Trump adviser confirmed the U.S. is working on a deal with the Democratic Republic of the Congo, the world's largest producer of cobalt needed for lithium-ion batteries, magnetic materials and superalloys.

[Greenwire](#) reported that the Trump administration gave notice Thursday that it is advancing Arizona's Resolution Copper mine project.

[Argus](#) reported that the U.S. will impose fees of \$50/net ton (nt) on Chinese ship operators and owners starting this fall and fees of \$18/nt on Chinese-built ships, according to new trade policies released last week.

[Greenwire](#) reported that federal officials on Friday published a preliminary list of mining projects the Trump administration is angling to push through a streamlined permitting process, from critical minerals to coal and potash, despite some looming legal challenges.

Commodity Prices

Commodity Price - Snapshot

| Metals Prices | Date | Price |
|---|---------|------------|
| Cobalt Spot Price (\$/lb) | 4/22/25 | \$15.28 |
| Copper Spot Price (\$/lb) | 4/22/25 | \$4.83 |
| Gold Spot Price (\$/ounce) | 4/22/25 | \$3,280.95 |
| Lead Spot Price (\$/lb) | 4/22/25 | \$0.87 |
| Lithium Spot Price (\$/kg) | 4/22/25 | \$9.62 |
| Molybdenum Spot Price (\$/kg) | 4/22/25 | \$61.73 |
| Nickel Spot Price (\$/lb) | 4/22/25 | \$7.12 |
| Silver Spot Price (\$/ounce) | 4/22/25 | \$32.61 |
| Steel HRC Price (\$/mt) | 4/22/25 | \$939.39 |
| Steel Rebar Price (\$/mt) | 4/22/25 | \$412.51 |
| Zinc Spot Price (\$/lb) | 4/22/25 | \$1.18 |
| Energy Prices | Date | Price |
| Coal Price - Australian Premium Coking Coal Futures (\$/mt) | 4/22/25 | \$183.00 |
| Coal Spot Price - Central Appalachian (\$/st) | 4/18/25 | \$78.00 |
| Coal Spot Price - Newcastle futures (\$/mt) | 4/22/25 | \$94.24 |
| Coal Spot Price - Rotterdam futures (\$/mt) | 4/22/25 | \$103.50 |
| Natural Gas Spot Price - Henry Hub (\$/mmbtu) | 4/16/25 | \$3.21 |
| Uranium Spot Price (\$/lb) | 4/22/25 | \$65.30 |

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

CORESafety



In the April edition of CORESafety TV, we discuss CORESafety's Module Number three, Risk Management.



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