

# CEO Mine Recap

By Rich Nolan • Aug 02, 2024

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July was a long year. That’s certainly what it feels like following a month that included unprecedented historic events including an assassination attempt on former President Donald Trump; a decision by President Joe Biden to step aside in the presidential race, rapidly clearing the way for Vice President Kamala Harris at the top of the Democrat ticket; and the beginning of the one event that seems to unite much of the world with a sense of optimism and celebration: the Olympics.

For mining policy in Washington, July yielded some very hard fought and significant wins. An oft-discussed but ever-elusive bipartisan permitting deal took a huge leap forward as it moved out of committee containing a number of incredibly important NMA-backed provisions. In an era of historic political division, Good Samaritan legislation passed out of the full Senate with remarkable unanimous support. And the Supreme Court signaled a willingness to consider our Clean Power Plan 2.0 stay application by asking the government to respond to our request later this month. A historic time from any angle.

If that weren’t enough, [MINExpo INTERNATIONAL®](#) is next month and we still have Expo Only passes available for those who would like to attend. In addition, the NMA will be livestreaming from the show floor this year with a new marketing offering: NMA TV—book your TV time today! Learn more [here](#) and please consider joining us in person next month.

Anything I’m forgetting? Ah, yes. The election is less than 100 days away. Buckle up, folks. Things are about to get (or stay?) interesting...

## Long-Awaited Bipartisan Permitting Legislation Advances



On the last day of the month, Senate Energy and Natural Resources favorably advanced the [NMA-supported](#) S. 4753, the Energy Permitting Reform Act of 2024.

**The bill** includes several key NMA priorities including:

- Judicial review reforms to enact fair timelines for statute of limitations, court reviews, remands and notices.
- Ancillary-use language to address problems created by the adverse court decisions that overturned the Forest Service’s approval of the Rosemont Copper Mine’s plan of operations.
- Requirements that the Federal Energy Regulatory Commission and the North American Electric Reliability Corporation assess future federal regulations that significantly affect power plants and offer formal comments to federal agencies about any effects on electric reliability.

**Read more on in our [memo](#).** The NMA and many of you worked diligently to make this happen and we appreciate your contributions. Next stop: the full Senate.

## It’s Back to the Supreme Court for the CPP



We joined with America’s Power to file an [emergency application](#) with the Supreme Court to stay the EPA’s CPP 2.0.

**How did we get here?**

- The D.C. Circuit [denied](#) our [request](#) to stay the rule.
- In doing so, they ignored the Supreme Court’s decision in *West Virginia v. EPA* that struck down the original CPP as unlawful generation-shifting without congressional authorization.

**We’re not the only ones.** A [25-state coalition](#) led by West Virginia Attorney General Morrissey, Ohio and Kansas, and others from the utility industry also filed.

**In a hopeful sign,** the Court has asked the government to reply to our request by Aug. 19.

## Good Samaritan Legislation Unites the Senate



In an unprecedented action, the NMA-supported Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2024—championed by Senators Martin Heinrich (D-N.M.) and Jim Risch (R-Idaho)—passed out of the Senate unanimously.

I issued the following statement on this historic achievement, which was the culmination of more than a decade of work by myself and many of you:

- “Today’s Senate passage of bipartisan Good Samaritan legislation is a deeply important step forward in tackling the long-overdue cleanup of legacy abandoned mine sites. This bill allows mining companies and local stakeholders to utilize their equipment and technical expertise to clean up abandoned sites without fear of incurring additional legal liability, removing key obstacles that have prevented the remediation of legacy land and water resources for far too long. We commend Senators Heinrich and Risch for their shared vision and leadership to advance the environmental progress we all desire, and we urge the House to send the bill to the president’s desk.”

Congress is now out for the summer but we look forward to working towards a similar positive result in the House.

## The Election: Down to the Wire



If there’s anything we’ve seen in the last month it’s this: whatever I write hear may be overcome by events by tomorrow. Here’s where we are today:

- Things are tight.
- While former President Trump remains strong, Vice President Harris is rising in the polls in many of the swing states, polling shows the national race to now be essentially tied.
- Harris is proving to be a tough opponent. She has money pouring in, momentum coming out of the announcement on her move to the top of the ticket, and she will likely get additional bounce out of her VP pick announcement next week and the upcoming DNC convention the following week in Chicago.

**But let me emphasize this:** this is a snapshot of a moment. A week from now, the narrative will be completely different. This one is likely going to come down to the wire.

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