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NMA Mining Week is a weekly publication of the National Mining Association. Mining Week archives are always available online at www.nma.org.

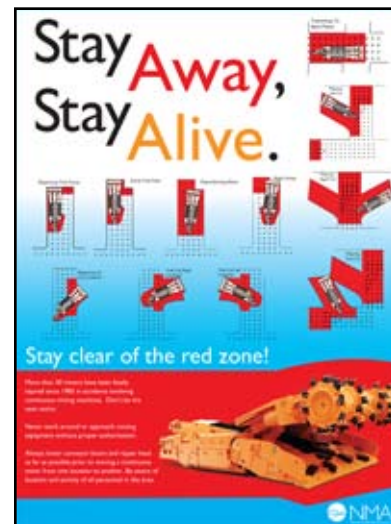
2008 safest mining year on record; NMA unveils new safety campaign

The Mine Safety and Health Administration (MSHA) recently confirmed that 2008 marked the safest year on record in U.S. mining. Following the release of MSHA's year-end safety data, NMA President and CEO Hal Quinn said the data demonstrate the success of the mining community's comprehensive efforts to continually improve safety performance. Quinn emphasized that mine operators continue to work towards a goal of zero fatalities.

According to MSHA, 51 mining employees lost their lives on the job during 2008, while half the nation's mines operated without a single lost-time injury.

"The 51 fatalities at U.S. mines in 2008 are a great loss to all of us," said Quinn. "Their loss also means we are short of the only goal that counts—zero fatalities," said Quinn. U.S. mining is back on track with year-over-year improvements in mine safety that began in the 1990s—a trend that has resumed in a year with record new employment and resource production."

"By achieving our safest year on record in 2008, U.S. mining is demonstrating that significant im-



NMA's new "Stay Away, Stay Alive" safety campaign includes numerous materials that are being distributed to mine operators, including this poster, to build awareness of the campaign's objectives.

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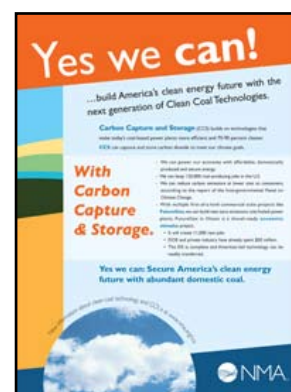
NMA launches new CCS web page; promotes CCS in advertising effort

NMA recently added a new section to its web site devoted to providing factual information on how the next generation of clean coal and carbon capture and storage (CCS) technologies can ensure a future supply of clean, affordable, domestically made energy.

The new section was developed to help answer fundamental questions about CCS and provide cross-references to the latest studies and information on domestic and international CCS projects. The new page also helps place CCS within the context of other clean coal technologies and further establishes NMA as a trusted source of information with policy-makers and their staffs.

NMA's new CCS web page is available at: [NMA CCS](http://www.nma.org/CCS).

In addition, NMA also this week launched an inside-the-beltway print and online advertising campaign that highlights the role clean coal technologies and CCS will play in securing America's energy future. The online ads, placed in sev-



NMA advertising has appeared in various print and online publications in Washington, D.C., this week as part of an effort to educate policy-makers on the essential role carbon capture and storage technologies will play in helping the U.S. meet future energy and environmental goals.

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provements in workplace health and safety can be realized through the use of advanced technology, enhanced safety training and awareness, sound laws and regulations and sophisticated risk analysis," said Quinn. "It takes a commitment by all members of the mining community—operators, miners and regulators—to use all these tools to make good on our shared commitment to achieve zero fatalities and injuries in America's mines."

Quinn stressed that more than \$500 million has been invested in new safety and training technology at U.S. mines over the last three years. He noted that "mines are promoting mine safety and health as a core value—instilling the values of safety leadership, accountability and personal involvement in every employee and providing them with the training and tools to prevent fatalities, injuries and occupational illnesses."

In an effort to further improve mine safety, NMA this week unveiled the "Stay Away, Stay Alive" safety campaign deigned to reduce accidents and fatalities associated with unsafe activity in proximity to continuous mining machines in underground coal mines.

"This is a voluntary awareness program specifically tailored to a safety need our

industry has identified," said Alliance Resources Partners President and CEO Joe Craft, who also chairs NMA's Safety, Health & Human Resources Committee. "Our goal at NMA is to continue to be proactive going forward," said Craft.

NMA and its member company safety professionals developed new safety training and awareness materials based on analyses of actual accident reports. The materials highlight specific actions that should be avoided. The materials include a training video, as well as hard hat stickers and a safety poster that build on the information in the video, which are meant to provide ongoing awareness of the campaign.

NMA will provide the new safety materials to safety directors at NMA member companies and is making them available to all U.S. underground coal mining companies as part of the association's commitment to bring every miner home safely at the end of every shift.

The innovative program is a first step intended to help lay the groundwork for the next generation of underground mining technology that will be used to detect unsafe proximity to mining equipment.

More information on NMA's safety campaign is available at: [Stay Away, Stay Alive](#). ☒

Energy secretary nominee backs CCS at confirmation hearing

Energy Secretary-designate Steven Chu pledged his support for developing carbon capture and storage (CCS) technologies and acknowledged the need for new coal plant construction at a Jan. 13 confirmation hearing before the Senate Energy and Natural Resources Committee.

"The coal resources in the United States are immense," said Chu. "I am very hopeful and optimistic that we can figure out a way to use those resources in a clean way."

Chu, a Nobel laureate physicist, told committee members that the U.S., China and other coal-rich nations will not abandon coal as a key energy source, stressing that it is critically important to accelerate the development of CCS technologies.

"I will work very hard to extensively develop these technologies so the United States and the rest of the world can use them," Chu said. "We are in a position to develop these technologies so the world can capture the carbon," he said, adding that there will be new coal plant construction in the United States.

"It is a question of science and technology and really putting the pedal to the floor as quickly as possible to develop carbon sequestration technologies," Chu told committee members.

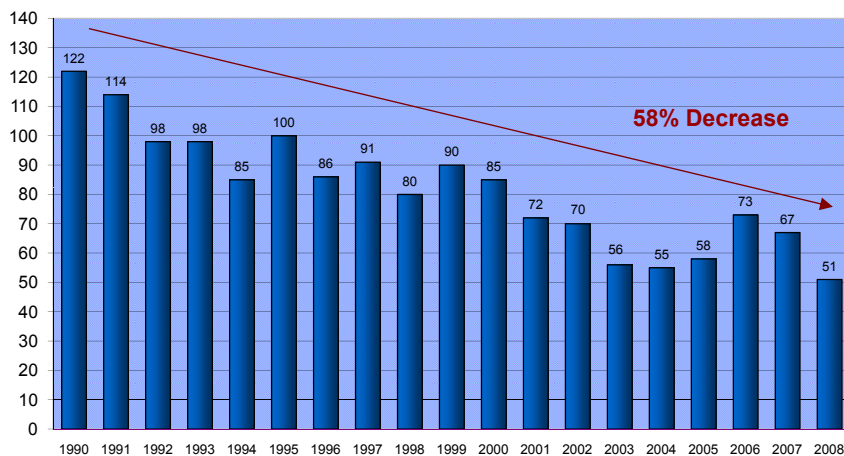
Chu began by warning committee members of the dangers posed by global warming, should no action be taken to reduce the emission of greenhouse gases. "It is now clear that if we continue on our current path, we run the risk of dramatic, disruptive changes to our climate system in the lifetimes of our children and grandchildren," Chu said. ☒

CCS *continued from page 1*

eral D.C.-based electronic publications, provide click-throughs to the new CCS section on NMA's web page. The print ads ran daily this week in *Politico*, a well respected Capitol Hill publication widely read by members of Congress and their staff.

To view NMA's print and online CCS ads, visit: [NMA CCS Ads](#). ☒

**US Mining Record of Reduction
Total Fatal Injuries, 1990-2008^{1/}**



^{1/} 2008 fatality data are preliminary as of Jan. 9, 2009

Source: Mine Safety & Health Administration (MSHA)



2008 was the safest year on record for U.S. mine operators. Thanks to the mining community's commitment to continuous safety improvements, mining fatalities have dropped 58 percent since 1990.

Rep. Ellsworth introduces new mine safety tax credit bill

Rep. Brad Ellsworth (D-Ind.) this week introduced tax incentive legislation designed to assist mine operators' efforts to deploy the latest in mine safety technology. The bill also contains provisions targeted at strengthening mine rescue team training.

The "Improved Mine Safety Act of 2009" provides a 50 percent tax credit covering the cost of qualified advanced mine safety equipment. Equipment covered by the tax credit include emergency communication technologies and devices for constant communication with individuals outside the mine; electronic identification and location devices; emergency oxygen-generating devices; pre-positioned oxygen supplies; and comprehensive atmospheric monitoring systems that monitor levels of carbon monoxide and other gases.

For mine rescue training, the bill revises an existing tax credit by increasing the size of the credit, allowing the credit as an offset against the alternative minimum tax and making the credit permanent.

"On behalf of the nation's mining community, NMA thanks Rep. Ellsworth for introducing legislation to provide important investment incentives that will accelerate the introduction of new safety technologies, safety training and additional mine rescue capabilities into the nation's mines," said NMA Senior Vice President of Regulatory Affairs Bruce Watzman.

"U.S. coal mining operators are working rapidly to develop and deploy new safety procedures and equipment, and Congressman Ellsworth's legislation will help advance the installment of the latest and most advanced technologies, while also improving the response capabilities of mine rescue teams," said Watzman. "We applaud Congressman Ellsworth for his dedication and hard work towards improving the safety of coal miners both in Indiana and across the country." ✕

NMA touts CCS at major energy forum



NMA Vice President of External Communications Luke Popovich used a major energy forum in Washington, D.C., to spotlight how the development and use of advanced clean coal and carbon capture and storage (CCS) technologies can help meet future demand for clean, affordable, domestically produced energy.

Popovich participated in a Jan. 14 panel discussion entitled "Electric Power Supply—How Much Can We Count On?" at the United States Energy Association's State of the Energy Industry forum at the National Press Club in Washington, D.C.

Popovich highlighted President-elect Barack Obama's support to help construct five carbon capture and storage demonstration projects in the U.S., saying the near-zero emissions FutureGen project to be built in Mattoon, Ill., could well be one such project. He also identified the Obama transition team's emphasis on energy efficiency improvements as complimentary to NMA's support for advanced coal combustion technologies.

During the panel discussion, Popovich noted that the incoming Obama administration is taking a pragmatic approach for addressing how best to meet the nation's future energy needs, while balancing the need to improve environmental protections. He stressed that without the development of needed new technologies, such as CCS, all nations will struggle to effectively combat climate change through the reduction of greenhouse gases. ✕

Colorado Supreme Court overturns county mining ban

The Colorado Supreme Court this week struck down a preemptive ban on modern mining technologies adopted by the Summit County Board of Commissioners in 2004. The decision is a result of a challenge brought by the Colorado Mining Association (CMA) against the ban, which prohibited the use of chemical reagents essential to the process of extracting minerals. The Jan. 12 Supreme Court decision overturns a 2007 decision by the state's Court of Appeals.

According to the decision, counties, which are political subdivisions of the state, may not prohibit the use of chemical reagents authorized and regulated by Colorado's Mined Land Reclamation Act.

"The mining industry is pleased to learn that Colorado's highest court has upheld uniform state standards for the protection of the environment," said CMA President Stuart Sanderson in a Jan. 12 press statement. "Under the Summit County prohibition, no mining operation using specified practices would be authorized, even if the operator were to demonstrate full compliance with applicable laws and regulations," Sanderson said.

Sanderson also noted that "the ban would have produced unintended results, by prohibiting mining companies from using the most innovative, efficient and environmentally protective technologies for extracting Colorado's valuable mineral resources."

The court also found that "a patchwork of county-level bans on certain mining extraction methods would inhibit what the General Assembly has recognized as a necessary activity and would impede the orderly development of Colorado's mineral resources."

"Granting local governments the authority to arbitrarily ban mining within any zoning district would have replaced the current objective, science-based

Colorado *continued from page 3*

decision making process for the regulation of mining with one based solely on subjective political judgment," Sander-son said. "This is neither good for the environment nor for local communities which depend on the revenues and jobs that mining provides," he added.

The Colorado Association of Commerce & Industry filed a brief in support of CMA's petition, citing the need for reasonable governmental regulation of business and industry, as did the state of Colorado through the Mined Land Reclamation Board, which cited the importance of state regulation of mining.

A copy of the Colorado Supreme Court decision is available at: [Supreme Court Decision](#).

A copy of CMA's Jan. 12 press statement is available at: [CMA Press Statement](#). ✕

BLM minerals award deadline fast approaching

The Bureau of Land Management (BLM) is accepting nominations for the agency's 2009 Reclamation and Sustainable Mineral Development Awards until Feb. 5. The awards recognize non-coal mineral development operations that embody the principles of sustainable development or represent outstanding examples of reclamation or environmental stewardship.

Mining companies, regulatory authorities, geologists and members of the general public may nominate operators or organizations in the non-coal solid minerals industries for an award.

Nominations must be received by Feb. 5 in the BLM state office that has jurisdiction for the public lands in the state where the operation is located. Presentation of the awards will take place in the fall.

More detailed information is available at: [BLM Mineral Awards](#). ✕



Mining Calendar Events and conferences covering important mining issues are routinely held across the nation. The following may be of interest to members of the mining community:

February 18-20 Charleston, W.Va. 36th Annual West Virginia Mining Symposium For registration information contact, Sandi Davison at the West Virginia Coal Association at (304) 342-4153 or sdavison@wvcoal.com.

February 22-25 Denver, Colo. 111th National Western Mining Conference & SME Annual Meeting The Colorado Mining Association and Society for Mining, Metallurgy and Exploration will jointly host the conference, which will focus on the theme of "Stewardship & Sustainability - Getting it Done in the 21st Century." More information, including a conference program and exhibit space details is available at: [CMA-SME Conference](#).

February 24-26 Wilson, N.C. N.C. Mine Safety & Health Law School The North Carolina Department of Labor's Mine and Quarry Bureau will hold a Mine Safety & Health Law School designed to help mine owners, operators, contractors and supervisory personnel fully understand both federal and state mine safety laws. Detailed information and registration will be available Jan. 5, 2008. More information is available by calling William Gerringer at (919) 807-2790.

March 25-27 Washington, D.C. World CTL 2009 Conference Leading public and private sector representatives from the U.S. and around the world will gather in Washington, D.C., next March for the World CTL 2009 Conference. The conference will begin on March 25 with two parallel workshops focused on practical issues surrounding project development, with two days of plenary sessions following on March 26-27. The plenary sessions will feature presentations and discussions from leading coal, oil and technology leaders. West Virginia Gov. Joe Manchin (D) and Wyoming Gov. Dave Freudenthal (D) are among the distinguished roster of presenters for the plenary sessions. More information is available at: [World CTL Conference](#).

April 28-30 Bristol, Va. Geomorphic Reclamation and Natural Stream Design at Coal Mines The federal Office of Surface Mining will host the conference, which will address advances in technical innovations in geomorphic reclamation and natural stream design and region-specific issues for Appalachia, the Midwest and the West. Additionally, there will be a field trip to four different reclamation sites exhibiting stream channel reconstruction, riparian vegetation and natural stream channel design. Registration for the conference can be made online at: [OSM Conference](#).

April 30-May 1 Sunset Beach, N.C. 32nd Annual North Carolina Mine Safety & Health Conference. More information is available by calling William Gerringer at (919) 807-2790.

June 9-11 Toronto, Canada BPI Mining Conference 2009 Penn State University's Department of Energy and Mineral Engineering is hosting the conference, which will include presentations from industry leaders in key mining sectors — coal, metals, and nonmetallic minerals — as well as from customers, suppliers and others with a keen interest in mining industry performance. Keynote speakers will include executive management from the world's largest and most successful mining companies and manufacturers. [BPI Conference](#).

June 28-30 Snowmass, Colo. Rocky Mountain Coal Mining Institute 105th Annual Mtg. and Convention The convention will offer technical sessions, mine rescue evaluations, scholarship awards and short course classes. Eugene Kranz, flight director of the Apollo 13 lunar mission, will be the keynote speaker. For more information, visit www.rmcmi.org.

July 1-2 Denver, Colo. 2009 NMA/NRC Uranium Recovery Workshop NMA and the Nuclear Regulatory Commission will again host a joint uranium recovery workshop offering an opportunity for industry representatives to communicate directly with federal and state regulators regarding regulatory trends and other important issues affecting the industry. For more information on this year's event, please contact NMA Legal Affairs Specialist Anthony Hagman at (202) 463-2655 or ahagman@nma.org.

DOE reports record coal production in 2008

The U.S. Department of Energy's Energy Information Administration (EIA) recently released preliminary data showing U.S. coal production hit a record mark in 2008. In total, the U.S. produced a little more than 1.17 billion short tons of coal in 2008, compared with approximately 1.15 billion short tons in 2007. The 2008 figure represents a 2.1 percent increase in production.

According to EIA, Wyoming topped the chart as the largest coal-producing state in the nation, with production of 467,456,000 tons in 2008, a jump of more than 3 percent over 2007. West Virginia was the second largest producing state in 2008, with nearly 160,000,000 tons produced, marking an increase of nearly 4 percent over the previous year. Kentucky was the third largest producing state, with almost 119,000,000 tons in 2008, a jump of 3 percent over production in 2007.

In addition, the Lake Carriers' Association (LCA), which represents U.S.-Flag vessel operators that ship coal, iron ore and stone on the Great Lakes, reported a 1 percent jump in Great Lakes coal shipments for 2008. According to LCA, approximately 39,800 thousand tons of coal was shipped on the Great Lakes in 2008.

More EIA data can be found at: [EIA Production Data](#).

More LCA information is available at: [LCA Data](#). ✕

U.S. Coal Production, (000 Short Tons)			
State:	2008	2007	Pct. Chg.
Wyoming	467,456	453,568	3.1%
West Virginia	159,378	153,522	3.8%
Kentucky	118,986	115,530	3.0%
Pennsylvania	64,517	65,190	-1.0%
Montana	44,278	43,390	2.1%
Texas	38,472	41,948	-8.3%
Indiana	36,070	35,003	3.1%
Colorado	33,728	36,384	-7.3%
Illinois	31,967	32,857	-2.7%
North Dakota	29,636	29,606	0.1%
Other	145,700	139,637	4.3%
Total	1,170,188	1,146,635	2.1%

Source: Energy Information Administration

2008 data are preliminary.

Lake Carriers' Association Coal Shipments (000 Net Tons)			
	Jan - Dec 2008	Jan - Dec 2007	Percent Change
Superior, WI	22,354.2	20,385.0	10%
Thunder Bay, ON	1,700.3	1,389.3	22%
Chicago, IL	3,350.7	3,561.6	-6%
Toledo, OH	3,187.3	3,192.8	-0%
Sandusky, OH	3,211.5	3,884.0	-17%
Ashtabula, OH	4,640.5	4,347.5	7%
Conneaut, OH	1,084.2	2,267.6	-52%
Buffalo, NY	261.8	259.1	1%
Total	39,790.5	39,286.9	1%

Source: Lake Carriers' Association

NMA urges MSHA to withdraw draft underground communications, tracking policy letter

NMA recently called on the Mine Safety and Health Administration (MSHA) to rescind a draft program policy letter (PPL) that lays out provisions governing the deployment and use of post-accident two-way communication and electronic tracking devices. Under the Mine Improvement and New Emergency Response (MINER) Act of 2006 these devices must be in use by June 15 of this year, with MSHA issuing the draft PPL to guide mine operators in meeting the June deadline.

NMA's Jan. 8 comments objected to MSHA's decision to issue a PPL rather than promulgating proposed regulations. NMA's comments identified industry unease with provisions covering the location and spacing of tracking facilities and communication and tracking capabilities in working mine sections. The comments also address industry worries regarding requirements for these devices covering standby power, survivability, surface consideration and maintenance.

NMA called on MSHA to "swiftly move to initiate a deliberative and detailed dialogue with us and other stakeholders in the months ahead with the goal of developing, and then proposing and promulgating improved mandatory safety standards for post-accident two-way communications and electronic tracking" consistent with the time constraints of the MINER Act.

NMA stressed that the PPL "will significantly impact how underground coal mine operators implement the post-accident communication and tracking requirements of the MINER Act at their operations" and criticized the agency for its approach in issuing the PPL. "NMA is very disturbed about the manner in which the draft has been issued, especially what appears to be a rush to issue a final PPL without allowing for a careful

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and well-considered dialogue between the agency and its stakeholders on this critically important subject.”

However, NMA did side with the PPL's conclusion that while “approved tracking systems are available ... fully wireless communications technology is not sufficiently developed at this time, nor is it likely to be technologically feasible by June 15, 2009.”

NMA's comments can be viewed at: [NMA MSHA PPL Comments](#). ☒

Mining Market Snapshot

Coal Figures	Cumulative year to date	Change over last year
<i>Week ended January 3, 2009</i>		
EIA Coal Production (000 tons)	8,260	-10.6%
Edison Electric Institute Electricity Output (GWh)	72,665	-9.2%
American Iron and Steel Institute Raw Steel Production (000 tons)	866	-59.3%
Metal Figures		
Copper Prices (\$/mt - week avg. Grade A Cash) 1/2/09		\$2,906.50
Gold Prices (\$/troy ounce - week avg. London Final) 1/2/09		\$874.83
Source: NMA Weekly Statistical Summary/Platts Metals Week		

Newsbits

U.S. Geological Survey Director Mark Myers recently announced that **Dr. Suzette Kimball** will take over as acting director following Myers' resignation. Myers had offered his resignation to the incoming Obama Administration, as is customary for political appointees, but had expressed an interest in staying on as director. However, after receiving no response from the incoming administration Myers announced his departure and named Kimball as his successor. Kimball had been serving as associate director for geology. Myers departs after having served as director for the past 28 months.



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