



## A new Mining Week is coming!

Beginning in September, *Mining Week* will become an exclusive NMA members-only publication and will feature a new look and a new publishing schedule. Our new format will give readers the flexibility to easily access each issue from their office and home desktop computers and while on the go using a Blackberry or other handheld device.

*Mining Week's* new format will also give readers the ability to download a single story or print a complete copy of each edition.

In addition, *Mining Week* will now be published each Wednesday in order to provide readers with mining news as it happens.

Look for the new *Mining Week* on Sept. 9.

## Twelve senators urge Army Corps of Engineers to finish Alaska gold mine permit

Alaska Sens. Lisa Murkowski (R) and Mark Begich (D) are leading an effort to ensure the U.S. Army Corps of Engineers quickly completes permitting for the Kensington gold mine in southeast Alaska.

Murkowski and Begich recently sent two letters to the Corps detailing the urgent need for the Corps to complete permitting for the mine.

In an Aug. 3 letter, the two senators highlighted their objections with recent Environmental Protection Agency (EPA) efforts to slow down permitting activity, despite a recent U.S. Supreme Court decision that upheld the legality of the mine's Section 404 Clean Water Act Permit. The high court ruled in June that Coeur Alaska had a valid 404 permit from the Corps to dispose of tailings from the Kensington mine into Lower Slate Lake. Despite the court's ruling, EPA has insisted the Corps re-evaluate the tailings disposal plan.

"After nearly two decades of review and legal challenges, it's time to respect the Supreme Court's decision and allow this important economic project to move forward," Murkowski said in an Aug. 4 joint statement with Begich.

See *Alaska gold mine*, page 2

## New MSHA data show improved safety performance

New data released by the Mine Safety and Health Administration (MSHA) demonstrate the mining community's commitment to continually strengthening mine safety.

According to end of year 2008 data recently posted on MSHA's "safety at a glance" web page, 2008 marked the seventh consecutive year in which the industry experienced a drop in injury rates. In 2008, MSHA recorded an injury rate of 3.25 per 200,000 hours worked, down from the 3.43 figure recorded in 2007.

The MSHA data show that the industry's injury rate has dropped 29 percent since 2002.

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

	2002	2003	2004	2005	2006	2007	2008
Number of Mines (operations)	14,520	14,391	14,478	14,666	14,885	14,871	14,907
Number of Miners 1/	329,114	320,149	329,008	344,837	363,497	378,123	392,719
Mining Fatalities	70	56	55	58	73	67	53
Fatal Injury Rate 2/	0.024	0.020	0.018	0.018	0.022	0.020	0.016
All Injury Rate 2/	4.60	4.23	4.05	3.92	3.64	3.43	3.25

1/ Data include contract employees. 2/ Per 200,000 hours worked.

Source: MSHA, Mine Safety and Health at a Glance

## Alaska gold mine continued from page 1

"Residents of the region have been waiting long enough for the 300 good jobs the Kensington Mine will produce," said Begich. "Now that the U.S. Supreme Court has acted, let's get to work developing this project."

A second letter was sent to the Corps in July from Murkowski and Begich and 10 fellow senators that called on the Corps to reject any further permitting delay and raised concerns about the potential precedent of allowing EPA to challenge Corps-issued permits.

Joining Begich and Murkowski were Sens. James Risch (R-Idaho), Sam Brownback (R-Kan.), Mike Crapo (R-Idaho), James Inhofe (R-Okla.), John Barrasso (R-Wyo.), Bob Bennett (R-Utah), Mike Enzi (R-Wyo.), John Thune (R-S.D.), Daniel Akaka (D-Hawaii) and Daniel Inouye (D-Hawaii)

"We have signed this letter because of the far-reaching implications that decisions related to Kensington Mine could have – not just in Alaska, but throughout the United States," the senators wrote.

"At the heart of the debate is whether a project that has complied with all environmental laws, that has gone out of its way to institute training and local hire of Native Americans, and has with-

stood years of legal challenge and won in the Supreme Court, can now be killed through additional bureaucratic delays," the letter said.

A copy of the Aug. 3 letter is available at: [Murkowski-Begich Letter](#).

A copy of the July 29 letter is available at: [12 Senators Letter](#). ✕

## District court throws out suit seeking Superfund financial assurance regulations

The U.S. District Court for the Northern District of California on Aug. 5 dismissed a lawsuit the Sierra Club brought against the U.S. Environmental Protection Agency (EPA) over the agency's failure to promulgate financial assurance requirements under the Comprehensive Environmental, Response, Compensation and Liability Act (CERCLA), commonly referred to as Superfund.

The district court held that while EPA is required to promulgate financial assurance requirements under CERCLA, the agency has discretion as to when it fulfills that duty.

The court based its decision on the absence of a date-certain deadline within CERCLA for promulgating regulations.

Instead, CERCLA requires promulgation of regulations "not earlier than five years after December 11, 1980." The court also cited legislative history showing that Congress has rejected attempts to require a date-certain deadline for the imposition of CERCLA requirements.

Earlier this year, the court ordered EPA to identify and publish a notice listing classes of facilities that may be subject to a future CERCLA rulemaking that would impose financial assurance requirements. However, the court declined to address whether EPA was required to implement financial assurance requirements.

Ultimately, EPA on July 10 published a notice identifying the hardrock mining sector as a priority for developing CERCLA financial assurance obligations. EPA plans to issue a proposed rule in spring 2011.

A copy of the court's decision is available at: [CERCLA Decision](#).

A copy of EPA's July 10 notice is available at: [EPA Notice](#). ✕

## Show your support for mining, visit ACT Online and contact your elected officials



Now more than ever, members of the mining community need to take an active role in advocating the critical role mining plays in providing jobs and shaping America's economic and national security.

NMA's Advocacy Campaign Team for Mining (ACT) is an online national network of mining community members who recognize the importance of being involved in the political process and are willing to make their voice heard. So far this year, ACT Online supporters have sent almost 34,000 letters to Congress on key mining issues.

In Congress and state capitols across the nation, issues of enormous importance to the mining community are being debated. NMA's ACT Online homepage offers supporters the chance to contact their elected officials on a wide range of coal, mineral, metal, economic and environmental issues.

Visit [ACT Online](#) today and show your support for America's mining community. ✕

**NMA Outreach:** *NMA regularly participates in various conferences, events and other forums to highlight key association initiatives and spotlight important developments in the mining community. Here's a look at upcoming events.*

- NMA Senior Vice President of Communications Carol Raulston will speak on Sept. 12 at the Nevada Mining Association Annual Convention.
- NMA President and CEO Hal Quinn will speak at the biennial Bluefield Coal Show, scheduled for Sept. 16-18 in Bluefield, W.Va.

**Mining Week archives are available on the NMA web site.**  
[www.nma.org](http://www.nma.org)

## New labor-backed study touts economic, energy benefits of coal

A new study backed by major labor unions concluded that clean coal technologies can help usher in a U.S. economic boon, boost the nation's energy security and successfully manage carbon dioxide emissions.

The study, *Employment and Other Economic Benefits from Advanced Coal Electric Generation with Carbon Capture and Storage Technologies*, found that constructing up to 100 gigawatts of new coal-fueled generation would create nearly 49,000 new jobs, generate more than \$45 billion in direct economic benefits and produce more than \$100 billion in direct and implied benefits, given multiplier effects.

Prepared by BBC Research & Consulting using a U.S. economic model, the study illustrates enormous economic gains under multiple deployment scenarios. According to the study, the construction, manufacturing and professional services sectors would see the largest economic gains.

The research was commissioned by the Industrial Union Council of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), the International Brotherhood of Boilermakers (IBB), the International Brotherhood of Electrical Workers (IBEW), the United Mine Workers of America (UMWA) and the American Coalition for Clean Coal Energy.

A copy of the study is available at: [Coal Study](#). ✕



**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:

**August 6-9 White Sulphur Springs, W.Va., West Virginia Coal Association Annual Meeting** The event will be held at The Greenbrier. For more information, call (304) 342-4153.

**August 11 Paducah, Ky., 61<sup>st</sup> meeting of the Inland Waterways Users Board** The 61<sup>st</sup> meeting of the Inland Waterways Users Board will be held on Tuesday, Aug 11, 2009, in Paducah, Ky., at the Luther F. Carson Four Rivers Center. More information is available by contacting Kenneth Lichtman with the Inland Waterways Users Board at (703) 428-8083 or Mark Pointon, executive secretary, Inland Waterways Users Board at (202) 761-4691.

**September 10-12 Reno, Nev. Nevada Mining Association Annual Convention** Registration information is available at: [Nevada Mining Association Annual Convention](#).

**September 16-18 Bluefield, W.Va. Bluefield Coal Show** More information, including registration details, is available at: [Bluefield Coal Show](#).

**September 21-24 Belo Horizonte, Brazil, Brazilian Mining Show** The U.S. Commercial Service of the U.S. Embassy in Brazil will again organize a pavilion for U.S. exhibitors for the show, which is expected to draw more than 40,000 visitors. This show is the most important mining sector event in Brazil and is held every two years. Exhibition space has sold out in the last editions and U.S. companies planning to participate are encouraged to contact the Commercial Service as soon as possible. More information is available at: [Brazilian Mining Show](#).

**October 26-28 Reno, Nev. MSHA Joint Western Regional Mine Safety and Health Conference** Key industry and government officials will explore the latest in mine safety and health improvement techniques. More information is available at: [MSHA Joint Western Safety Conference](#).

**October 28-30 Lexington, Ky., 34<sup>th</sup> Kentucky Mineral Law Conference** sponsored by the Energy and Mineral Law Foundation. Watch for more information at [www.emlf.org](#).

**November 2-6 Anchorage, Alaska, Alaska Miners Association Annual Convention and Trade Show** More information is available at [www.alaskaminers.org](#).

**November 5-6 Westminster, Colo. Mine Closure, Financial Assurance, and Final Reclamation** Hosted by the Rocky Mountain Mineral Law Foundation, the forum is intended to give a broad overview of mine closure topics and issues and to assist in present day closures, planning for closures that may not occur for years or even decades, and designing mines that have yet to begin development. More information is available at [Mine Closure Forum](#).

**November 30-December 4 Reno, Nev., Northwest Mining Association 2009 Annual Meeting and Exposition** More information, including online registration, is available at: <http://www.nwma.org/convention.asp>.

**February 4-6, 2010 Captiva Island, Fla., Winter Workshops on Energy Law** sponsored by the Energy and Mineral Law Foundation. Watch for more information at [www.emlf.org](#).

**February 9-10, 2010 Denver, Colo., 112<sup>th</sup> National Western Mining Conference** Sponsored by the Colorado Mining Association. More information is available at [www.coloradomining.org](#).

**May 9-11, 2010 Amelia Island, Fla., Energy & Mineral Law Foundation Annual Institute** Sponsored by the Energy and Mineral Law Foundation. Watch for more information at [www.emlf.org](#).

## Chevron Mining donates land to Navajo Code Talkers Association

Chevron Mining recently announced the donation of 208 acres of land to the Navajo Code Talkers Association (NCTA). The land will be used to house the future home of a Code Talkers museum and veterans center. The land transfer recognizes the Navajo Code Talkers for their service in creating history's only unbroken battlefield code during the Pacific campaign of World War II.

NCTA President Keith Little, a former Navajo Code Talker, accepted the gift from Chevron Mining President Fred Nelson during a ceremony at Chevron's McKinley Mine, located in New Mexico near the Navajo Nation capitol of Window Rock, Ariz.

"We are privileged to support the NCTA in their efforts to create a legacy worthy of their heroism and their place in American history," said Nelson. "Today's land transfer is an important step in bringing new opportunities to the area and encouraging new investment in the community."

"We are honored to receive this land and the contribution to the vision of a veterans' center and museum. It is important for us to remember our contribution to our country and we thank Chevron for doing the same," said Keith Little, NCTA president.

New Mexico Governor Bill Richardson (D) and Navajo Nation Vice President Ben Shelly were among the dignitaries who participated in the ceremony, which also served to raise awareness for the NCTA's Museum & Veterans Center Development Project.

The 208 acre parcel of land is associated with Chevron's McKinley Mine and is undisturbed by mining activity. The McKinley Mine has produced over 177 million tons of coal since 1962 and has close ties with the Navajo community, which represents approximately 95 per cent of the mine's employees. ✕

## Newsbits

**BHP Billiton's** board of directors this week announced that **Jacques Nasser** will succeed **Don Argus** as chairman when Argus retires in early 2010. Nasser joined the BHP board as a non-executive director in 2006 and is a member of the board's Risk and Audit Committee. Nasser has extensive international business experience gained during his 33 years with the Ford Motor Company where he was president and CEO. More information is available at: [BHP Billiton Announcement...The International Trade Administration](#) will host a web-based seminar for U.S. coal and mining companies on Aug. 12 designed to provide U.S. coal companies with an overview of commercial opportunities available in India. The discussion will be led by representatives from the Foreign Commercial Service and Coal India, Ltd. (CIL). For additional information, or to register for the session, please contact e-mail [Shannon.Fraser@mail.doc.gov](mailto:Shannon.Fraser@mail.doc.gov) or call (202) 482-3609.

**Looking ahead:** Here's a look at what's ahead for the mining community in Washington, D.C.

- The U.S. House of Representatives and Senate are in adjournment for the August congressional recess and are not scheduled to reconvene until Sept. 8.

### Mining Market Snapshot

<b>Coal Figures</b>	Cumulative year to date	Change over last year
<i>Week ended July 25, 2009</i>		
EIA Coal Production (000 tons)	614,972	-5.8%
Edison Electric Institute Electricity Output (GWh)	2,231,012	-4.5%
American Iron and Steel Institute Raw Steel Production (000 tons)	31,397	-50.5%
<b>Metal Figures</b>		
Copper Prices (\$/mt - week avg. Grade A Cash) 7/24/09		\$5,421.00
Gold Prices (\$/troy ounce - week avg. London Final) 7/24/09		\$950.05
Source: NMA Weekly Statistical Summary/Platts Metals Week		



Mining Week is published as a service to members of the National Mining Association, Gary Goldberg, chairman, Hal Quinn, president and publisher.

**Staff**

Carol Raulston,  
Senior Vice President, Communications  
Corey Henry  
Leslie Coleman Luke Popovich

## NMA Mining Week

Executive and editorial offices: Communications Department, 101 Constitution Ave., NW Suite 500E, Washington, D.C. 20001, telephone 202/463-2600. www.nma.org, fax: 202/463-2614. Change of e-mail address should be directed to [mphelleps@nma.org](mailto:mphelleps@nma.org).