

In this issue...

NMA details coal industry's SMCRA experience at Senate committee hearing...page 2

House approves mercury export ban legislation; administration voices opposition...page 3

Mining market snapshot... page 3

Limited "Good Samaritan" legislation introduced in House...page 3

IEA predicts massive jump in global energy needs, increased coal use...page 4

Newsbits...page 5

Happy Thanksgiving...

Due to next week's Thanksgiving holiday, *Mining Week* will take a short publication hiatus. The next issue of *Mining Week* will be published Nov. 30. NMA extends best wishes for a Happy Thanksgiving to all *Mining Week* readers.

About Mining Week...

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

Final DOE FutureGen EIS approves all four candidate sites

The U.S. Department of Energy (DOE) recently released its final Environmental Impact Statement (EIS) on the four sites vying to become the permanent home of the FutureGen Project, with a final site-selection likely to be announced sometime in December.

Four sites, Mattoon, Ill., Tuscola, Ill., Jewett, Texas, and Odessa, Texas, are being considered as the permanent home of the 275 megawatt project, which once completed will be the world's first coal-fueled plant capable of producing electricity and commercial-grade hydrogen gas, while capturing and storing nearly all emissions. Construction of the plant is expected to begin in 2009, with the plant becoming operational in 2012. The project is a partnership between DOE and the FutureGen Industrial Alliance, Inc., a non-profit consortium of some of the world's largest coal producers and electricity generators.

The EIS, released Nov. 9, contains a comprehensive evaluation of potential environmental impacts of the project with respect to its design, construction and operation and concluded that all four candidate sites are acceptable locations to house the project.

"Completing this massive effort in such a short time is a testament to the teamwork by the DOE, its contractors, the states and the alliance," said Michael J. Mudd, CEO of the FutureGen Alliance, in a Nov. 9 statement. "We will continue to work together to move FutureGen forward at a fast pace to develop this much-needed, first-of-a-kind research and development program."

"With the issue of climate change at the top of Congress' agenda and on the minds of many policy-makers around the globe, FutureGen...is more important than ever," said Mudd.

See *FutureGen*, page 2

Sen. Isakson meets with NMA Government Affairs Committee



NMA Government Affairs Committee (GAC) Chairman and Foundation Coal Vice President of Government and Community Affairs Jon Wood (right) welcomed Sen. Johnny Isakson (R-Ga.) (left) to a Nov. 14 meeting of NMA's GAC.

Sen. Isakson, the ranking member of the Senate Subcommittee on Employment and Workplace Safety and a member of the Environment and Public Works Committee, previewed likely Senate action on various key mining industry issues, including mine safety, energy legislation, climate change and Mining Law reform.

Isakson told GAC members that he believes there is little support in the Senate for the "Supplemental Mine Improvement and New Emergency Response Act of 2008" (S-MINER Act, H.R. 2768), which is likely to be brought to a floor vote in the House of Representatives in the first week of December. Isakson said he believes the Mine Improvement and

See *Isakson*, page 2

Isakson *continued from page 1*

New Emergency Response Act of 2006 must be fully implemented before Congress embraces new safety legislation.

On climate change, Isakson warned against climate efforts that would reduce domestic coal use, citing the damage that would be done to the competitiveness of U.S. industry through reduced access to affordable energy. Isakson stressed that Congress must do more to promote domestic energy legislation and the technology needed to make coal use increasingly clean.

Isakson told GAC members that he supports efforts to reform the Mining Law, but underlined the need for Congress to take a responsible approach in updating the law. ✕

FutureGen *continued from page 1*

DOE will take public comments on the EIS for 30 days following the publication of an announcement regarding its availability in the *Federal Register* and is expected to issue a Record of Decision (ROD) on the EIS following the close of the public comment period. DOE has already solicited substantial public comment, as it held public meetings near each of the four candidate sites since issuing a draft EIS in June.

After the ROD has been released, the FutureGen Alliance is expected to make an announcement on the winning candidate in December.

A copy of the EIS is available at: www.netl.doe.gov/technologies/coalpower/futuregen/EIS/.

More information on the FutureGen Alliance is available at: www.FutureGenAlliance.org. ✕

**Mining Week archives
are available on the
NMA web site.
www.nma.org**

NMA details coal industry's SMCRA experience at Senate committee hearing



NMA Senior Vice President and General Counsel Hal Quinn testified at a Nov. 13 Senate Energy and Natural Resources Committee hearing held to mark the 30th anniversary of the Surface Mining Control and Reclamation Act (SMCRA) of 1977. Quinn testified that SMCRA has been a success because of its recognition that coal is an indispensable part of ensuring America's future economic well-being. NMA file photo.

other accomplishments occurred while the U.S. coal industry had undergone significant changes owing to market forces, but was still able to meet half of the nation's electricity needs, thus providing affordable power to businesses and industries that employ almost 127 million Americans.

Several factors have contributed to SMCRA's success in balancing energy production with environmental protection, said Quinn, including an acknowledgment that coal is indispensable in ensuring America's economic prosperity and that coal mining should be a temporary use of the land with reclamation the end point. Quinn underscored that giving states the primary authority for implementing SMCRA, which applies to a wide variety of mining conditions found throughout the country, was also key to its success.

Despite the enduring success of SMCRA, in recent years "a continual barrage of litigation questioning interpretations and policies that have been in place since 1977 now jeopardizes coal production in Appalachia, its coal economy and the jobs it supports," Quinn testified. He noted that some 70 permits have not been issued by regulators pending the outcome of recent litigation.

Looking ahead, Quinn noted the similarities between the desire for improved energy security that grew out of the 1973 oil embargo and concerns expressed today to bolster American energy security, stressing that Americans are once again focusing on the ability of domestic coal to meet the nation's increasing energy needs and achieve important environmental improvement goals. "SMCRA must continue to balance these needs," said Quinn, emphasizing that other policy initiatives will be needed, including incentives to stimulate more coal production for power generation and for transportation fuels and continued funding to accelerate the development of advanced clean coal technologies.

A copy of NMA's testimony is available at: www.nma.org/pdf/cong_test/111307_Quinn.pdf. ✕

House approves mercury export ban legislation; administration voices opposition

The House of Representatives this week approved legislation banning the export of elemental mercury. The legislation contains a vital industry-supported provision that helps to ensure the bill establishes a practical mercury storage solution. The House approved the "Mercury Export Ban Act of 2007" (H.R. 1534) by voice vote on Nov. 13, two weeks after the bill was overwhelmingly approved by the House Energy and Commerce Committee following the addition of a stakeholder supported storage amendment.

The bill, which bans the export of elemental mercury beginning in 2010, contains an amendment championed by Rep. Thomas Allen (D-Maine), which requires the Department of Energy (DOE) to create a facility capable and ready

to accept elemental mercury produced in the U.S. for the purpose of long-term management and storage. The amendment specifies that this facility must be ready no later than Jan. 1, 2010, and contains language ensuring mining facilities will not be subject to Resource Conservation and Recovery Act permitting provisions should the storage facility not be ready when the export ban takes effect. The amendment reflects a compromise agreed to by NMA, the American Chemistry Council, the Chlorine Institute, the Natural Resources Defense Council and the Environmental Council of States.

However, the Bush Administration expressed its opposition to the bill in a Nov. 13 statement of administration policy (SAP), saying the bill "is prema-

ture pending further analysis of the many issues raised by such a ban." The SAP urged the House against moving forward on the bill until after a federal interagency group, led by the U.S. Environmental Protection Agency, studying the management of non-federal commodity mercury, has issued a series of recommendations.

In addition, the administration opposes the requirement that DOE be responsible for the long-term management and storage of elemental mercury. "This requirement is outside the scope of the department's core mission," the administration said.

A copy of the Nov. 13 SAP is available at: www.whitehouse.gov/omb/legislative/sap/110-1/hr1534sap-h.pdf. ☒

Limited "Good Samaritan" legislation introduced in House

Rep. Mark Udall (D-Colo.) recently introduced legislation designed to eliminate various liability hurdles and enable select third-parties to remediate abandoned hardrock mine sites. Udall introduced the "Good Samaritan Cleanup of Abandoned Hardrock Mines Act of 2007" (H.R. 4011) on Oct. 30, with Rep. Steve Pearce (R-N.M.) joining as a co-sponsor.

The bill calls for a program to encourage hardrock mine remediation by creating a "Good Sam" permit program under the Clean Water Act. The program would allow non-governmental organizations, individuals and companies to obtain limited permits for the cleanup of abandoned hardrock mines.

"Hard rock mining has played a key role in the history of Colorado and other states, and the resulting mineral wealth has been an important aspect of the nation's economy and the development of essential products," said Udall in an Oct. 31 press release. "However, as all westerners know, this history has too often been marked by a series of 'boom'

times followed by a 'bust' when mines were no longer profitable." Udall said busts would then result in the abandonment of mine sites that now are in need of clean-up work. "There are people and groups who would like to work to clean them up, but who are deterred by the concern that they might be held legally liable for the problems they want to correct," said Udall. "This bill would provide a way for them to be shielded against that threat."

While the bill does provide some liability protection, permit-holders will still

be required to ensure that their actions do not harm water quality. In addition, the bill does not provide permit holders an exemption from the Comprehensive Environmental Response, Compensation, and Liability Act, a key component that NMA has pressed to include in such legislation.

More information is available at: <http://markudall.house.gov/HoR/CO02/Newsroom/Press+Releases/UDALL+INTRO+DUCES+GOOD+SAMARITAN+BILL+TO+HELP+CLEANUP+OF+ABANDONED+MINES.htm>. ☒

Mining Market Snapshot		
Coal Figures	Cumulative year to date	Change over last year
<i>Week ended November 3, 2007</i>		
EIA Coal Production (000 tons)	967,344	-1.5%
Edison Electric Institute Electricity Output (GWh)	3,491,543	2.8%
American Iron and Steel Institute Raw Steel Production (000 tons)	89,978	-4.1%
Metal Figures		
Copper Prices (\$/mt - week avg. Grade A Cash) 11/2/07	\$7,717.55	
Gold Prices (\$/troy ounce - week avg. London Final) 11/2/07	\$789.60	
Source: NMA Weekly Statistical Summary/Platts Metals Week		

IEA predicts massive jump in global energy needs, increased coal use

The latest energy outlook released last week by the International Energy Agency (IEA) forecasts a sharp rise in global energy demand over the next two decades, paired with an increase in global coal use, particularly in China and India where coal utilization is expected to skyrocket.

IEA's *World Energy Outlook 2007* predicts that global energy demand will grow 55 percent by 2030, assuming no major departure from current government energy policies, with energy demand nearing 18 million tons of oil equivalent, compared with 11.4 million tons at present.

In absolute terms, IEA reported that coal will experience the biggest increase in demand of any energy source, jumping from 25 percent of world energy consumption in 2005 to 28 percent in 2030. The vast majority of the increase in coal use is accounted for by growth in China and India, which are projected to take in more than 80 percent of the increased demand for coal. According to the outlook, higher oil and gas prices are making coal more competitive as a fuel for base load electricity generation. The report forecasts a doubling in electricity usage, but predicts only a modest growth in natural gas use.

In order to meet the projected spike in global energy demand, IEA said \$22 trillion worth of overall supply infrastructure investments is needed, with the electric power sector requiring \$11.6 trillion in infrastructure investments. China alone will require nearly \$4 trillion of such investment, with India needing slightly over \$1 trillion.

Elsewhere, the outlook found that China will surpass the United States in carbon dioxide emissions in 2007 to become the world's leading emitter, with India on course to become the world's third-largest emitter by 2015.

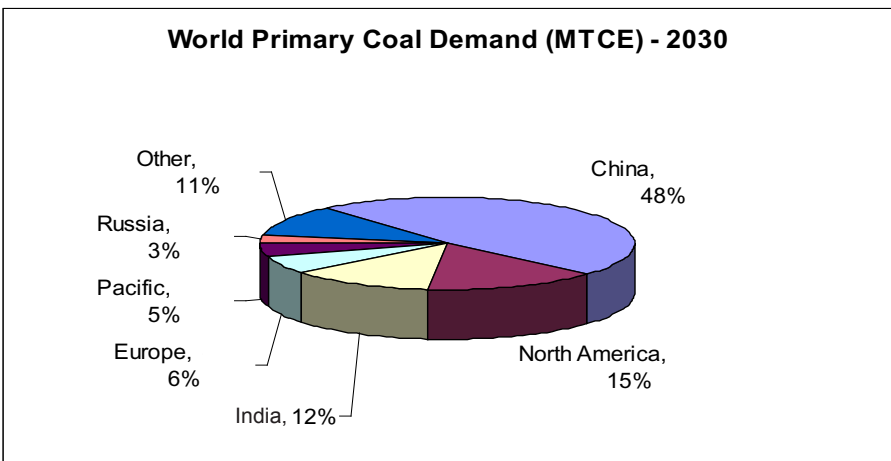
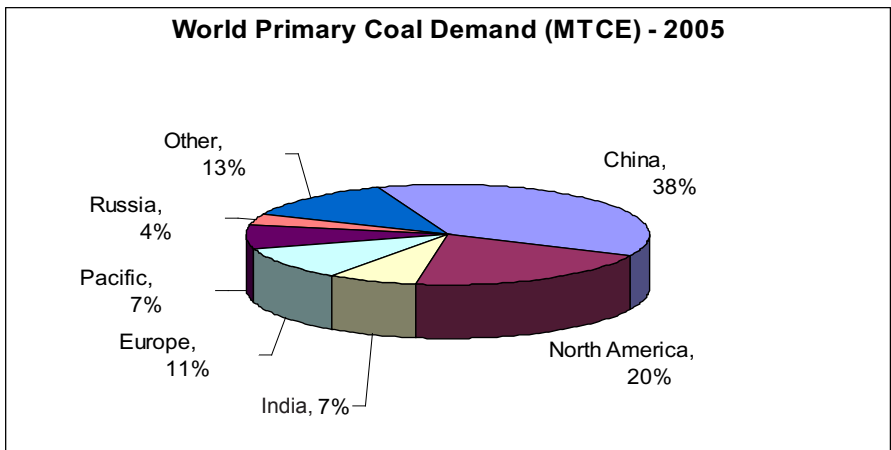
The report also predicted significant increases in the amount of oil imported by China and India, with global oil production likely to be further concentrated in the hands of a few Middle Eastern nations and

an abrupt price escalation between now and 2015 a very real possibility.

More information is available at: www.worldenergyoutlook.org.

China, India set to lead the way in increased global coal use

A recent report from the International Energy Agency (IEA) predicts that coal's share of the global energy market will jump from 25 percent to 28 percent by 2030, with China and India's coal use increasing significantly. By 2030, IEA's *World Energy Outlook 2007* predicts that China will account for 48 percent of global coal demand, compared with 38 percent in 2005, while India will account for 12 percent of global coal demand, up from 7 percent in 2005. While IEA predicts coal use in North America will grow, North America's overall share of global coal demand will actually drop 5 percent to 15 percent given the rapid growth in demand in China and India.



Source: International Energy Agency.

Newsbits

Amid ongoing efforts in Congress to reach a deal on energy legislation, Rep. **John Shimkus** (R-Ill.) used a Nov. 9 Capitol Hill press conference to warn that Congress is on the verge of advancing energy legislation that will not spur domestic energy production, nor impact energy prices or reduce the nation's dependence on foreign oil. "Earlier this year House Democratic leaders decided to pursue an energy bill that not only includes no new domestic energy production but actually limits domestic energy production," said Shimkus. "That is what the Democrats seek to pass as oil prices rage upward nearing \$100 per barrel." Shimkus emphasized that House Democratic leaders had rebuffed his effort to include a provision he crafted with House Energy and Air Quality Subcommittee Chairman **Rick Boucher** (D-Va.) that would promote the domestic production of coal-to-liquid (CTL) transportation fuels by establishing a price-collar mechanism to protect CTL producers from foreign energy cartel price manipulation. Shimkus warned that absent provisions to increase domestic energy supplies, Americans will "keep paying ever increasing prices for imported energy." Shimkus was joined at the press conference by House Minority Whip **Roy Blunt** (R-Mo.) and Reps. **Marsha Blackburn** (R-Tenn.), **Mike Conaway** (R-Texas), **David Davis** (R-Tenn.) and **Lee Terry** (R-Neb.).

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

- The House of Representatives is expected to vote on the "Supplemental Mine Improvement and New Emergency Response Act of 2008" (S-MINER Act, H.R. 2768) during the week of Dec. 3.
- The Senate Environment and Public Works Committee is expected to vote on amendments to the "America's Climate Security Act" (ACSA) (S. 2191) on Dec. 5, with a vote on the overall bill likely on Dec. 6.
- The House Transportation and Infrastructure Committee will hold a hearing on the "Clean Water Restoration Act of 2007" (H.R. 2421) on Dec. 6. A committee vote on the bill is expected to be held sometime after the hearing.



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