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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 Dec. 5. NMA extends best wishes for a Happy Thanksgiving to all *Mining Week* readers.

Durbin seeks early Obama Administration commitment for FutureGen

Assistant Senate Majority Leader Dick Durbin (D-Ill.) this week underscored his commitment to ensuring the construction of the FutureGen plant in Mattoon, Ill., saying he will seek an early commitment from the Obama Administration to move forward with the federal portion of funding for the project.

Once completed, the FutureGen plant will be the world's first near-zero emissions coal-fueled plant. The technology used at the plant can then be deployed throughout the United States and exported around the world.

In January, U.S. Energy Secretary Samuel Bodman announced that the Department of Energy (DOE) was renegeing on its commitment to help fund construction of the \$1.5 billion FutureGen plant in Mattoon. Under the original approach, DOE was to have partnered with the FutureGen Alliance, a consortium of leading private sector coal producers and electric utilities, to build the plant.

Durbin and other members of the Illinois congressional delegation were briefed on Nov. 20 on the status of the FutureGen project by FutureGen Alliance Chairman Paul Thompson and President and CEO Mike Mudd.

"We have been able to keep the concept of FutureGen alive for almost a year," said Durbin. Following the meeting Durbin said the alliance is "still committed to this project and I am as well."

"We are going to work hard to make sure that the new secretary of energy and the new administration make an early commitment to FutureGen so we can move forward," said Durbin. "This is not only a critically important project for Illinois coal, this is important for the nation's energy future and the environment."

Durbin and the FutureGen Alliance members were joined by Rep. John Shimkus (R-Ill.) and representatives from the offices of Reps. Tim Johnson (R-Ill.) and Jerry Costello (D-Ill.) and Illinois state officials at this week's briefing.

More information on the FutureGen project is available at: [FutureGen Alliance](#). ☒

NMA welcomes new and returning members of Congress



Numerous returning and newly-elected members of Congress attended a NMA-hosted reception on Nov. 19. Here, Newmont Mining Corporation Vice President of Government Affairs Mary Beth Donnelly (left) welcomed Rep. Shelley Berkley (D-Nev.) (right). More photos from the welcome reception are available on page 3. ☒

OSM issues final rule for Abandoned Mine Land program

The U.S. Office of Surface Mining Reclamation and Enforcement (OSM) recently published a final rule meant to align current regulations with amendments to the Surface Mining Control and Reclamation Act enacted in 2006 to ensure fees collected from coal mining are made more readily available by OSM for reclamation.

Signed into law by President Bush in December 2006, the amendments made a number of changes to the Abandoned Mine Land (AML) program, including dramatically increasing the funds available for reclaiming abandoned coal mines.

"This rule sets the course for how the agency will collect fees that improve water quality and provide other benefits by funding important reclamation activities," OSM Director Brent Wahlquist said in a Nov. 14 press statement.

The amendments require a reduction in the AML fee that coal operators pay for

each ton of mined coal. The fee is used to abate and remediate the environmental impact of historic coal mining. Fee rates will be reduced by 10 percent from the levels established in 1977 for the period from Oct. 1, 2007, through Sept. 30, 2012, and reduced again by another 10 percent from the 1977 levels for the period from Oct. 1, 2012, through Sept. 30, 2021.

The Nov. 14 rule codifies the reduced fee structure and OSM's authority to collect reclamation fees through Sept. 30, 2021. The change also affects the activities that state and tribal reclamation programs may perform under the program and the funding provided for reclamation grants to states and Indian tribes.

In addition, the rule reinstates expired incentives covering the re-mining of certain lands and water adversely affected by past mining. More information is available at: [AML Rule](#). ☒

Waxman unseats Dingell as Energy and Commerce chair; Boxer to introduce new climate bill

House Democrats this week ousted Rep. John Dingell (D-Mich.) as the chairman of the Energy and Commerce Committee and replaced him with Rep. Henry Waxman (D-Calif.), a close ally of House Speaker Nancy Pelosi (D-Calif.). Waxman had previously chaired the House Oversight and Government Reform Committee. Waxman beat Dingell by a secret ballot vote of 137-122 on Nov. 19.

Waxman's victory casts serious doubt on whether Rep. Rick Boucher (D-Va.) will continue to chair the Energy and Air Quality Subcommittee, with Rep. Edward Markey (D-Mass.) tipped to be a likely replacement. Dingell and Boucher recently unveiled draft climate change legislation that was the culmination of a year's worth of hearings and committee-produced white papers. Boucher has long pressed to ensure that any climate legislation ultimately adopted by Congress recognizes the key role coal plays in powering America and has been a key supporter of helping to fund the development and deployment of carbon capture and storage technologies.

In the Senate, Environment and Public Works Committee Chair Barbara Boxer (D-Calif.) announced this week that she plans to introduce a new cap-and-trade climate bill, as well as legislation to provide billions in new funding to support renewable energy production when the 111th Congress convenes in January.

Boxer said her new cap-and-trade bill will be a much more streamlined version than the bill she worked on with Sens. Joe Lieberman (I-Conn.) and John Warner (R-Va.) this year and that failed to win approval on the Senate floor. Boxer's new bill will likely direct the Obama Administration and U.S. Environmental Protection Agency to establish a cap-and-trade system to reduce greenhouse gas emissions. ☒

Action Alert: Stop EPA from misusing Clean Air Act to regulate greenhouse gas emissions



Nov. 28 is the deadline for comments. Go to NMA's Advocacy Campaign Team (ACT) for Mining's web page to contact U.S. Environmental Protection Agency (EPA) Administrator Stephen Johnson and urge him not to misuse the Clean Air Act (CAA) to regulate greenhouse gas emissions.

Through NMA's ACT alert, mining supporters can write to EPA and warn them of the dangers of extending CAA programs to regulate greenhouse gas emissions, a move that could have devastating effects throughout the entire U.S. economy.

EPA on July 30, 2008, published an Advanced Notice of Proposed Rulemaking (ANPR) that would impose a vast new regulatory regime on key U.S. businesses to regulate carbon dioxide and other greenhouse gas emissions using

the CAA. If the ANPR is adopted, EPA will assume unprecedented regulatory control over virtually all aspects of the U.S. economy. The ANPR would impose staggering new costs on American businesses and consumers, while yielding negligible environmental benefits.

Mining supporters can use the ACT message to tell EPA that the CAA was never intended to be used this way. Regulating greenhouse gas emissions is such an important economic and environmental issue that the design of any solution should be left to the elected representatives of Congress, not to unelected career bureaucrats.

Go to [NMA EPA ACT](#), where you will find a letter you can send directly to EPA to make your voice heard. EPA is accepting comments on the ANPR until Nov. 28. A copy of your letter will also be sent to your members of Congress. ☒

NMA hosts reception for returning and newly elected members of Congress

NMA hosted a reception at its Washington, D.C., offices this week to welcome back returning members of Congress and greet newly elected members. NMA staff and member company representatives were on hand to welcome members of Congress at the Nov. 19 reception.



Kathleen Ambrose, Rio Tinto principal advisor and chair of NMA's Government Affairs Committee, (center) and Resolution Copper Mining President David Salisbury (right) talk with **Rep. Joe Wilson (R-S.C.)** at the Nov. 19 reception.



NMA President and CEO Hal Quinn (left) welcomed **Sen. Johnny Isakson (R-Ga.)**, ranking member of the Senate Subcommittee on Employment and Workplace Safety, (right) to the reception.



Under Secretary of Energy Bud Albright (left) and **Sen. James Inhofe (R-Okla.)**, ranking member of the Environment and Public Works Committee, (right) talk at the reception.



Sen. Robert Bennett (R-Utah) (right) and **Sen.-elect Jim Risch (R-Idaho) (left)** at NMA's Nov. 19 reception.



Rep. Bill Shuster (R-Pa.) (left) talks with Foundation Coal Vice President of Government and Community Affairs Jon Wood (center) and Skip Stephens (right) representing Joy Global Inc.



Rep.-elect Cynthia Lummis (R-Wyo.) was one of a number of newly elected members of Congress NMA hosted at the reception.



NMA President and CEO Hal Quinn (right) talks with **Rep. Zack Space (D-Ohio)** at the Nov. 19 reception.



Kathleen Ambrose, Rio Tinto principal advisor and chair of NMA's Government Affairs Committee, (left) talks with **Rep. Jason Altmire (D-Pa.) (right)** at the reception. ✕

Mining Market Snapshot

Coal Figures	Cumulative year to date	Change over last year
<i>Week ended November 8, 2008</i>		
EIA Coal Production (000 tons)	998,857	1.6%
Edison Electric Institute Electricity Output (GWh)	3,527,274	-1.0%
American Iron and Steel Institute Raw Steel Production (000 tons)	92,002	0.6%
Metal Figures		
Copper Prices (\$/mt - week avg. Grade A Cash) 11/7/08		\$3,981.20
Gold Prices (\$/troy ounce - week avg. London Final) 11/7/08		\$742.85
Source: NMA Weekly Statistical Summary/Platts Metals Week		

Iron ore shipments on Great Lakes up in 2008

The Lake Carriers' Association (LCA), reported last week that shipments of iron ore on the Great Lakes stands at 51.2 million net tons to date in 2008, an increase of 8 percent over the total shipped for the January-October 2007 timeframe.

However, the group reported that the capacity utilization rate in the steel industry had fallen to 65 percent, with steel mill shipments now below the 2007 year-to-date level, calling into question whether the slight increase in iron ore shipments seen this year can be maintained.

For October, LCA reported that 5.7 million net tons of iron ore had been shipped, a slight decrease from both a year ago and the five-year average for the month. Shipments from Canadian seaway ports reacted much quicker to the downturn in steel production, falling some 32 percent from a year ago. U.S. ports actually outperformed a year ago, but shipments did start to fall off in the final week of October, LCA said in a Nov. 12 release.

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

	Jan - Oct 2008	Jan - Oct 2007	Percent Change
Duluth, MN	6,878.4	5,618.1	22%
Superior, WI	9,032.3	10,261.4	-12%
Two Harbors, MN	11,098.5	10,959.4	1%
Silver Bay, MN	6,605.5	3,693.2	79%
Presque Isle, MI	6,356.8	5,174.2	23%
Escanaba, MI	4,181.3	3,888.1	8%
Canadian Seaway Ports	7,085.2	7,638.5	-7%
Total	51,238.0	47,232.9	8%
Source: Lake Carriers' Association			

Newsbits

Massey Energy (NYSE: MEE) recently named **Baxter F. Phillips, Jr.** as new company president. **Don L. Blankenship** will continue to serve the company as chairman and CEO. Phillips most recently served as executive vice president and chief administrative officer of the company. In his new role, Phillips will assume

increased responsibility for Massey Energy's aggressive strategic growth plans, according to a Nov. 13 company statement. Phillips will also continue to oversee the company's Richmond, Va., headquarter functions, including sales, finance, human resources, information systems and investor relations and will continue to serve as a member of the company's board of directors.

NMA backs clean coal technology in New York Times letter

NMA recently emphasized the need for the U.S. to play a leading role in helping develop and deploy carbon capture and storage technologies in a Nov. 14 letter to the editor published in the online version of the *New York Times*.

The letter was in response to an opinion editorial penned by former Vice President Al Gore that called for a phase-out of coal to reduce greenhouse gas emissions.

"Far from discouraging investment in carbon capture and storage technology capable of neutralizing greenhouse gas emissions from coal-based power plants, the United States should assert global leadership in accelerating this vital antidote to climate concerns," wrote NMA President and CEO Hal Quinn.

"Half of the nation's electricity is generated with coal because it is affordable and plentiful, the very reasons coal use is soaring in Asia, where China's greenhouse gas emissions alone surpass our own," wrote Quinn.

"Without the timely deployment of this technology here and abroad, there is little hope of reducing greenhouse gases in a world destined to need more affordable electricity," NMA said.

A copy of NMA's letter is available at: [NMA Letter](#). (readers should scroll down past the first letter in this link). ✕

"Baxter's promotion will enable me to provide more intensive leadership to ensure the success of the capital expansion project we embarked on a year ago to increase production at our Central Appalachian coal mining operations," said Blankenship, who also plans to continue his efforts to pursue new sales and growth

continued

Newsbits

opportunities for the company in emerging overseas markets. Phillips joined the company in 1981 and has served in a variety of functions, including export sales, purchasing,

treasury, cash management, human resources and benefits. More information is available at: [Massey Announcement](#).



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:

December 1-5, 2008

Reno, Nev. The Northwest Mining Association will hold its 114th Annual Meeting & Exposition, which will focus on the theme "Mining for a Minerals Dependent World." www.nwma.org/convention.asp.

February 24-26, 2009

Winston-Salem, 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 Geringer at (919) 807-2790.

April 30-May 1, 2009

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

June 9-11, 2009

BPI Mining Conference 2009, Toronto, Canada 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. <http://programs.psu.edu/bpi2009>.

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