



MINING

Interior's final 'critical minerals' list starts permitting debate

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The Interior Department today published a final list of 35 elements it considers essential to national security.

The Trump administration's next step will be to develop a plan to reduce imports of those "critical minerals," stoking an already bitter policy fight over mining laws.

President Trump commissioned the list, published in today's Federal Register, last year. His December executive order matched industry worries about the increasing number of "non-fuel" minerals coming predominantly from overseas (Greenwire, Feb. 19).

"This dependency ... creates a strategic vulnerability for both [the U.S.] economy and military to adverse foreign government action, natural disaster, and other events that can disrupt supply of these key minerals," Interior wrote today.

The U.S. Geological Survey has found that foreign sources, most often China, supply 100 percent of 14 commodities on the final list, and more than half of another 16 (E&E News PM, Feb. 1).

With the list completed, the executive order now gives Commerce Secretary Wilbur Ross 180 days to submit a strategy to reduce that reliance.

The report will explore various options: increased trade with allies, recycling and reprocessing technology, and potential alternative materials to replace critical minerals.

But it will also make recommendations about mining more in the United States by expediting mine permitting — the No. 1 policy debate between the mining industry and environmentalists, and their Republican and Democratic allies in Congress.

"More than a complex listing process, we need a simplified and efficient permitting system that unlocks the value of all our domestic mineral resources," said National Mining Association spokeswoman Caitlin Musselman.

The list doesn't go far enough, she added, due to Interior's "narrow view of criticality."

Among the 453 public comments USGS reviewed were requests to add 13 minerals to the list. Interior acknowledged that elements like copper and silver are "indispensable" but cited robust domestic production for their exclusion.

NMA noted, however, that Interior acknowledged "any recommendations to improve permitting processes for those critical minerals will improve permitting processes for all minerals." That proves the list is not the point, said Aaron Mintzes of mining watchdog Earthworks.

"The mining lobby has misdirected this debate away from our genuine mineral needs toward their decadelong attempt to eviscerate community and environmental oversight of the nation's largest toxic polluter," he said.

Earthworks worries that designating a mineral as "critical" will be a way to marginalize public input in the federal decisionmaking process.

"What's 'critical' is protecting our clean air and water," Mintzes said.

The 'starting point'

The final list was identical to the draft version released in February, despite questions raised in public comments.

"This list of critical minerals, while 'final,' is not a permanent list, but will be dynamic and updated periodically to reflect current data on supply, demand, and concentration of production, as well as current policy priorities," the notice stated.

Interior rejected 183 requests to eliminate uranium, as it is primarily a fuel material. During the comment period, other federal agencies emphasized "important non-fuel uses" for uranium beyond nuclear power plants.

"Uranium's inclusion on this list should send a chill down the spine of anyone who treasures the Grand Canyon," said Center for Biological Diversity attorney Alli Melton.

Conservationists have been on edge ever since the Forest Service recommended revising the 1.1-million-acre uranium mining ban that President Obama imposed on either side of Grand Canyon National Park.

"The uranium mining industry already left a toxic legacy across the region, poisoning people and sticking taxpayers with millions in cleanup," Melton said.

Industry and Republican lawmakers, however, argue that uranium production in the region can not only be environmentally safe but reduce the heavy reliance on imports from Russia and Kazakhstan, where Russian companies operate (Greenwire, May 4).

With the list, Interior also acknowledged "many commodities are not mined directly, but are instead recovered during the processing, smelting, or refining of a host material."

So-called byproducts constitute 12 of the 35 critical minerals. Interior noted: "Enhanced recovery of byproducts alone may be insufficient to meet U.S. consumption."

American Resources Policy Network President Daniel McGroarty pointed to copper, a "gateway" to five minerals on the critical list.

"The U.S. has a 600,000-metric-ton copper gap each year — the gap between what we consume and what we produce," he said. "The critical minerals list is a great starting point. The question now is how the U.S. government can match policy to the priority of overcoming our critical minerals deficit."

The Commerce report will purportedly address those policy issues. The department is also tasked with outlining a plan to improve mineral mapping nationwide, making those data electronically accessible when possible.

The final list of critical minerals is aluminum (bauxite), antimony, arsenic, barite, beryllium, bismuth, cesium, chromium, cobalt, fluorspar, gallium, germanium, graphite (natural), hafnium, helium, indium, lithium, magnesium, manganese, niobium, platinum group metals, potash, rare earth elements, rhenium, rubidium, scandium, strontium, tantalum, tellurium, tin, titanium, tungsten, uranium, vanadium and zirconium.