

# Mining

Our mining industry practice group is proud to serve as a trusted partner to a variety of members in the domestic and international mining community. These partnerships range from junior and major developers, explorers and producers, to mining services contractors and mining industry trade organizations. Regardless of whether your mining venture is in the mineral tenure acquisition, exploration, development, operation or reclamation phase, Stinson's team can assist with the legal needs that arise.

## CAPABILITIES

Our mining team, comprised of attorneys skilled in mining transactions, environmental, real estate, corporate, tax and energy law, offers experience in the unique aspects of the mining industry. Our representations have involved coal, hydraulic fracturing sand, metallic minerals (copper, nickel, gold, PGM and taconite/iron ore) and phosphate. We assist our clients with:

- Acquisition of land and mineral interests, including securing mineral leases and surface use rights.
- Clearing defects in real estate titles and obtaining title insurance.
- Exploration and prospecting permits and approvals.
- Mine development and production.
- Financing and infrastructure development.
- Day-to-day operational issues and regulatory compliance (mining and environmental permits and related compliance issues).
- Contracts involving mining services, equipment lease and purchase, Engineering, Procurement, and Construction (EPC) Agreements, energy/utility supply sources, mineral leases, royalty agreements, and mineral transportation agreements.
- Joint ventures and strategic partnerships, corporate mergers, acquisitions and divestitures, with focused attention to due diligence issues unique to the mining industry.
- Labor and employment matters and benefits issues unique to the mining industry, including MSHA and OSHA compliance.
- Litigation affecting mining projects, including environmental and permitting challenges, challenges to rules and ordinances, enforcement proceedings, and torts arising from mining operations.

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- Government solutions, including legislative representation, rulemaking comments and appeals.
- Site remediation

## EXPERIENCE

Stinson's team has assisted members of the mining industry and its stakeholders with a full spectrum of legal needs. We have:

- Provided legal counsel to major international mining companies involved in the exploration and development stages of hard rock mining projects; advised on federal, state and local regulatory issues associated with the acquisition of public and private mineral interests and land tenure, baseline environmental studies, mineral deposit evaluation, environmental review and contested regulatory issues.
- Represented junior mining companies with exploration, financing and project development, permitting, day-to-day operational issues and related state and federal regulatory issues, including those relating to the transportation of minerals by truck and rail.
- Provided legal counsel regarding MSHA compliance and enforcement issues, accident investigation and whistleblower claims at both the state and federal levels.
- Represented mining companies in responding to MSHA violations, navigating the penalty policies, contesting citations in MSHA enforcement proceedings, arguing cases before the Federal Mine Safety and Health Review Commission and litigating cases when necessary, including contesting cumulative penalties.
- Advised a mining joint venture regarding jurisdictional determinations related to business activity within mining permit area, as well as contractor issues encountered when working on or near the mining permit area.
- Assisted mining companies in resolving site remediation and closure, reclamation compliance and other enforcement issues.
- Served as lead counsel for federal and state environmental regulatory agencies on mining-related compliance and enforcement issues and litigation, including representation on behalf of the government in one of the longest environmental enforcement trials in Minnesota state history.
- Served as local due diligence counsel in complex international joint ventures.
- Provided governmental relations representation for international and national mining companies before state and federal agencies and legislative bodies.
- Prepared formal written administrative comments and appellate amicus briefs for mining industry trade association on federal and state decisions affecting mining projects.

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- Assisted major mining companies in their acquisition and divestiture of surface and mineral interests, including strategic land planning and negotiations with U.S. Forest Service regarding land exchange.

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## TEAM

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## RELATED CAPABILITIES

Corporate Finance

Energy

Environmental & Natural Resources

Environmental Counseling

Environmental Litigation

Government Solutions

Labor, Employment & Benefits

Unmanned Aircraft Systems & Autonomous Vehicles

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## NEWS

Stinson Attorneys Analyze CTA vs. NYLTA in *Bloomberg Law* as Federal Ruling Could Impact Similar State Laws

03.12.2024

Six Attorneys Elected to Partnership at Stinson in 2024

01.09.2024

Denver's Mile High Magazine Recognizes Bayles, Botts as Top Attorneys

01.04.2024

Stinson Welcomes its Fall Associates Class of 2023

11.29.2023

*Best Lawyers*® Recognizes Stinson in "Best Law Firms" Report

11.02.2023

Botts, Gilmer and Samale Discuss ESG for Mining Companies in Mining Media International Publication

06.16.2023

Stinson Welcomes 17 Associates to the Firm

11.09.2022

Christina Arnone, Bill Everding and Sarah Lintecum Struby Recognized as Up & Coming Attorneys by *Missouri Lawyers Weekly*

08.22.2022

Byron Starns Selected to Receive 2021 Minnesota Icon Award

11.19.2021

## PUBLICATIONS

Council on Environmental Quality Publishes Phase 2 NEPA Rule

05.06.2024

Bureau of Land Management Rules Signify Shift Toward Conservation

05.03.2024

FTC Bans Worker Non-Competes

04.24.2024

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Now is Your Chance to be Heard on the FCC's New Proposed Drone Regulations

02.03.2023

Minnesota's PFAS Monitoring Plan Signals Increased Enforcement

10.04.2022

Biden Administration Takes Concrete Steps to Prioritize Environmental Justice

05.10.2022

EPA Proposes Accelerating Nutrient Reductions

05.05.2022

The EPA Reverts to Pre-2015 Definition in Proposed WOTUS Revision

12.09.2021

Biden Administration Announces Heat-Related Hazard Inspection Initiative, Upcoming Rulemaking

09.20.2021

Clean Water Requirements Escalate for PFAS, Nutrients and other Pollutants

09.10.2021

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