

114TH CONGRESS  
2D SESSION

# H. R. 4323

To direct the Secretary of the Interior to promulgate regulations for the safe and environmentally responsible reopening of abandoned mines, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2016

Mr. GRIJALVA introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To direct the Secretary of the Interior to promulgate regulations for the safe and environmentally responsible reopening of abandoned mines, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Abandoned Mine Rec-  
5 lamation Safety Act”.

6 **SEC. 2. REOPENING OF ABANDONED MINES.**

7 (a) REGULATIONS.—

8 (1) IN GENERAL.—The Secretary of the Inte-  
9 rior, in consultation with other relevant agencies,

1 shall promulgate regulations for the safe and envi-  
2 ronmentally responsible reopening of abandoned  
3 mines for the sole purpose of facilitating cleanup or  
4 remediation of conditions at such mines.

5 (2) CONTENTS.—Such regulations shall—

6 (A) be applicable to both coal mines and  
7 noncoal mines;

8 (B) ensure that an abandoned mine is re-  
9 opened in a manner that—

10 (i) protects the safety of workers in-  
11 volved in the reopening of the abandoned  
12 mine; and

13 (ii) minimizes the risk of a blowout or  
14 other uncontrolled release of water into the  
15 environment;

16 (C) require emergency response and notifi-  
17 cation plans to be developed before reopening  
18 any abandoned mine that poses a risk of an un-  
19 controlled release of water into the environ-  
20 ment;

21 (D) provide for the long-term care and  
22 maintenance of hardrock mine bulkheads;

23 (E) require approval by a professional en-  
24 gineer of plans to reopen abandoned mine sites;  
25 and

1 (F) incorporate recommendations from the  
2 Bureau of Reclamation report entitled “Tech-  
3 nical Evaluation of the Gold King Mine Inci-  
4 dent San Juan County, Colorado” and dated  
5 October 2015.

6 (3) TIMING.—The Secretary shall publish pro-  
7 posed regulations under this subsection by no later  
8 than 6 months after the completion of the study  
9 under subsection (b), or if no such study is con-  
10 ducted, by no later than 18 months after the date  
11 of enactment of this Act.

12 (b) STUDY.—

13 (1) IN GENERAL.—The Secretary of the Inte-  
14 rior may seek to enter into an arrangement with the  
15 National Academies of Sciences, Engineering, and  
16 Medicine to conduct a study to identify best prac-  
17 tices for reopening abandoned mines for the purpose  
18 of facilitating cleanup or remediation of conditions  
19 at such mines, and to make recommendations for  
20 regulatory and legislative action with respect to such  
21 reopenings.

22 (2) TIMING.—Any study under this subsection  
23 shall be completed by no later than 2 years after the  
24 date of enactment of this Act.

1           (c) IDENTIFICATION OF HIGH-RISK SITES.—The  
2 Secretary of the Interior shall initiate a program to iden-  
3 tify and regularly monitor known surface and under-  
4 ground abandoned mine sites and features that pose the  
5 highest risk of an inadvertent release of water into the  
6 environment.

7           (d) FINANCIAL ASSURANCE REQUIREMENTS NOT  
8 AFFECTED.—Nothing in this section affects the authority  
9 of the Secretary or any Federal agency from imposing any  
10 requirement to provide a bond, surety, or other financial  
11 assurance for abandoned mine cleanup.

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