

118TH CONGRESS
2^D SESSION

H. R. 10023

To establish within the Office of Land and Emergency Management of the Environmental Protection Agency the Office of Mountains, Deserts, and Plains, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 22, 2024

Mr. CRANE introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish within the Office of Land and Emergency Management of the Environmental Protection Agency the Office of Mountains, Deserts, and Plains, 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 “Legacy Mine Cleanup
5 Act of 2024”.

6 **SEC. 2. OFFICE OF MOUNTAINS, DESERTS, AND PLAINS.**

7 (a) **DEFINITIONS.**—In this section:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Environ-
3 mental Protection Agency.

4 (2) APPROPRIATE COMMITTEES OF CON-
5 GRESS.—The term “appropriate committees of Con-
6 gress” means—

7 (A) the Committee on Appropriations of
8 the Senate;

9 (B) the Committee on Energy and Natural
10 Resources of the Senate;

11 (C) the Committee on Environment and
12 Public Works of the Senate;

13 (D) the Committee on Health, Education,
14 Labor, and Pensions of the Senate;

15 (E) the Committee on Indian Affairs of the
16 Senate;

17 (F) the Committee on Appropriations of
18 the House of Representatives;

19 (G) the Committee on Energy and Com-
20 merce of the House of Representatives;

21 (H) the Committee on Transportation and
22 Infrastructure of the House of Representatives;

23 (I) the Committee on Natural Resources of
24 the House of Representatives; and

1 (J) the Committee on Oversight and Ac-
2 countability of the House of Representatives.

3 (3) COVERED MINE SITE.—The term “covered
4 mine site” means the land, water, and surrounding
5 watersheds where extraction, beneficiation, or proc-
6 essing of hardrock ores or minerals occurred, but
7 has been discontinued, including discontinued tem-
8 porarily.

9 (4) INDIAN COUNTRY.—The term “Indian coun-
10 try” has the meaning given the term in section 1151
11 of title 18, United States Code.

12 (5) NAVAJO NATION ABANDONED URANIUM
13 MINE SITE.—The term “Navajo Nation abandoned
14 uranium mine site” means an abandoned uranium
15 covered mine site on land of the Navajo Nation.

16 (6) OFFICE.—The term “Office” means the Of-
17 fice of Mountains, Deserts, and Plains established by
18 subsection (b)(1).

19 (7) REGIONAL OFFICE.—The term “Regional
20 Office” means a Regional Office of the Environ-
21 mental Protection Agency.

22 (b) ESTABLISHMENT.—

23 (1) IN GENERAL.—There is established within
24 the Office of Land and Emergency Management of

1 the Environmental Protection Agency the Office of
2 Mountains, Deserts, and Plains.

3 (2) DIRECTOR.—The Office shall be headed by
4 a Director, to be appointed by the Administrator (or
5 a designee).

6 (c) PURPOSES.—The purposes of the Office shall
7 be—

8 (1) to coordinate with the headquarters of the
9 Environmental Protection Agency, Regional Offices,
10 and stakeholders response actions of the Environ-
11 mental Protection Agency at a covered mine site, in-
12 cluding a covered mine site in Indian country (as de-
13 fined in section 1151 of title 18, United States
14 Code), in accordance with Federal law;

15 (2) to establish and disseminate best practices
16 for covered mine site response actions, including
17 identifying—

18 (A) innovative technologies and reuse ap-
19 proaches that support and make progress to-
20 ward those response actions; and

21 (B) waste storage and disposal solutions;

22 (3) to coordinate with the headquarters of the
23 Environmental Protection Agency, Regional Offices,
24 Federal land management agencies, States, and vol-
25 untary nongovernmental organizations, watershed

1 groups, nonliable entities and mining companies, and
2 other entities voluntary response actions at covered
3 mine sites, where applicable, including timely
4 issuance of administrative guidance for nonliable
5 parties;

6 (4) to coordinate with the headquarters of the
7 Environmental Protection Agency and other Federal
8 Government entities, pursuant to existing authorities
9 under section 3303 of title 41, United States Code,
10 hiring practices to support small business concerns
11 to carry out response actions at covered mine sites;

12 (5) to coordinate with the Secretary of the Inte-
13 rior, the Secretary of Energy, the Secretary of
14 Health and Human Services, the Nuclear Regulatory
15 Commission, and other Federal agencies, as the Ad-
16 ministrator determines to be appropriate, to ensure
17 interagency coordination of covered mine site re-
18 sponse actions, with priority given to coordinating
19 response actions at covered mine sites for which
20 there is no potentially responsible party; and

21 (6) to coordinate other actions as the Adminis-
22 trator determines to be appropriate, pursuant to ex-
23 isting authorities of the Administrator—

24 (A) to support efforts to investigate, char-
25 acterize, or clean up a discharge, release, or

1 threat of release of a hazardous substance, pol-
2 lutant, or contaminant into the environment at
3 or from a covered mine site; or

4 (B) to establish best practices to protect
5 and improve human health and the environment
6 and implement appropriate reuse options, in-
7 cluding through the use of innovative tech-
8 nologies to recover valuable resources from cov-
9 ered mine site features or areas, as applicable.

10 (d) DUTIES.—The Administrator shall carry out
11 through the Office, at a minimum, the following duties:

12 (1) PRIORITY MINE LIST.—

13 (A) IN GENERAL.—Annually, the Adminis-
14 trator shall identify covered mine sites that are
15 prioritized for response actions, which may in-
16 clude covered mine sites that are or are not in-
17 cluded on the National Priorities List developed
18 by the President in accordance with section
19 105(a)(8)(B) of the Comprehensive Environ-
20 mental Response, Compensation, and Liability
21 Act of 1980 (42 U.S.C. 9605(a)(8)(B)).

22 (B) CREATION OF LIST; REPORTS.—The
23 Administrator shall annually—

24 (i) create a list of covered mine sites
25 identified under subparagraph (A); and

1 (ii) submit to the appropriate commit-
2 tees of Congress a report describing—

3 (I) the methodology used to iden-
4 tify those covered mine sites under
5 that subparagraph; and

6 (II) the status of response ac-
7 tions carried out at covered mine sites
8 on the list.

9 (C) COORDINATION.—The Administrator
10 shall—

11 (i) regularly coordinate with Regional
12 Offices, Federal agencies, States, Indian
13 Tribes, Alaska Native Corporations, and
14 stakeholders to update the list of covered
15 mine sites identified under subparagraph
16 (A); and

17 (ii) regularly coordinate with Regional
18 Offices on response actions and share best
19 practices with respect to each covered mine
20 site identified under subparagraph (A).

21 (2) PROCESS IMPROVEMENT.—

22 (A) IN GENERAL.—The Administrator
23 shall, pursuant to existing authorities of the
24 Administrator—

1 (i) identify best practices for devel-
2 oping, reviewing, and approving site as-
3 sessments, remedial investigations, and
4 feasibility studies for covered mine sites;

5 (ii) coordinate research relating to
6 technologies and remedial and removal ap-
7 proaches that are the most successful in
8 limiting the acute and chronic risks posted
9 to human health and the environment by
10 covered mine sites; and

11 (iii) support—

12 (I) government-to-government
13 consultations with Indian Tribes with
14 respect to a covered mine site located
15 within Indian country; and

16 (II) efforts to provide regular up-
17 dates to the Tribal governments in-
18 volved in response actions for a cov-
19 ered mine site located on Tribal land
20 under the jurisdiction of the Indian
21 Tribe.

22 (B) TRIBAL CONSULTATION.—In sup-
23 porting consultations with Indian Tribes under
24 subparagraph (A)(iii)(I), the Administrator, in

1 addition to existing applicable law and guid-
2 ance, shall—

3 (i) as appropriate, invite potentially
4 responsible parties, including Federal
5 agencies, to participate in government-to-
6 government consultations with Indian
7 Tribes;

8 (ii) as appropriate, consult with Alas-
9 ka Native Corporations in accordance with
10 section 161 of division H of the Consoli-
11 dated Appropriations Act, 2004 (25 U.S.C.
12 5301 note; Public Law 108–199); and

13 (iii) as appropriate, ensure consulta-
14 tions with Tribal allottees occur pursuant
15 to section 2 of the Act of February 5,
16 1948 (62 Stat. 18, chapter 45; 25 U.S.C.
17 324).

18 (3) INTERAGENCY PLANS FOR URANIUM CON-
19 TAMINATION ON THE NAVAJO NATION; REPORTS.—

20 (A) IN GENERAL.—Not later than Sep-
21 tember 30, 2027, and not less frequently than
22 once every 10 years thereafter, the Adminis-
23 trator, in cooperation with other relevant Fed-
24 eral agencies, including, at a minimum, the De-
25 partment of Energy, the Nuclear Energy Regu-

1 latory Commission, the Department of the Inte-
2 rior, the Indian Health Service, and the Agency
3 for Toxic Substances and Disease Registry, and
4 in consultation with affected Tribal govern-
5 ments, shall develop a 10-year interagency plan
6 for the coordination of the Federal Government
7 with States and Tribal governments to carry
8 out response actions at Navajo Nation aban-
9 doned uranium mine sites, including—

10 (i) goals for the assessment of, and
11 response actions at, Navajo Nation aban-
12 doned uranium mine sites;

13 (ii) target dates by which goals de-
14 scribed in clause (i) are anticipated to be
15 achieved, subject to appropriations;

16 (iii) the projected appropriations nec-
17 essary to achieve goals described in clause
18 (i) by the target dates described in clause
19 (ii); and

20 (iv) the activities to be carried out by
21 each Federal agency under the plan.

22 (B) REPORTS.—Not later than 90 days
23 after the date on which a plan is developed
24 under subparagraph (A), the Ad ministrator
25 shall submit to the appropriate committees of

1 Congress a report describing the applicable
2 plan.

3 (4) ADMINISTRATIVE AND TECHNICAL ASSIST-
4 ANCE.—The Administrator shall, pursuant to exist-
5 ing authorities of the Administrator, provide to
6 States, units of local government, Indian Tribes, and
7 other entities technical assistance with respect to re-
8 sponse actions on covered mine sites.

9 (e) NO NEW REGULATORY AUTHORITY.—Nothing in
10 this section provides the Administrator with new regu-
11 latory authority not already established in law.

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