

115TH CONGRESS
1ST SESSION

H. R. 4628

To amend the Federal Water Pollution Control Act to allow for modified permits for industrial minerals remining operations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2017

Mr. GIBBS introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act to allow for modified permits for industrial minerals remining operations, 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 “Industrial Mineral
5 Parity Act of 2017”.

6 **SEC. 2. MODIFIED PERMIT FOR REMINING OPERATIONS.**

7 (a) IN GENERAL.—Section 301(p)(1) of the Federal
8 Water Pollution Control Act (33 U.S.C. 1311(p)(1)) is
9 amended by striking “coal”.

1 (b) LIMITATIONS.—Section 301(p)(2) of the Federal
2 Water Pollution Control Act (33 U.S.C. 1311(p)(2)) is
3 amended by striking “coal” each place it appears.

4 (c) DEFINITIONS.—Section 301(p)(3) of the Federal
5 Water Pollution Control Act (33 U.S.C. 1311(p)(3)) is
6 amended—

7 (1) by redesignating subparagraphs (B) and
8 (C) as subparagraphs (D) and (F), respectively;

9 (2) by inserting after subparagraph (A) the fol-
10 lowing:

11 “(B) INDUSTRIAL MINERAL.—The term
12 ‘industrial mineral’ means limestone, clay, sand,
13 gravel, diatomite, kaolin, bentonite, silica, bar-
14 ite, gypsum, or talc.

15 “(C) INDUSTRIAL MINERALS REMINING OP-
16 ERATION.—The term ‘industrial minerals re-
17 mining operation’ means an industrial minerals
18 mining operation that begins after the date of
19 the enactment of the Industrial Mineral Parity
20 Act of 2017 at a site on which coal mining was
21 conducted before the effective date of the Sur-
22 face Mining Control and Reclamation Act of
23 1977.”;

1 (3) in subparagraph (D), as so redesignated, by
2 striking “coal remining” and inserting “remining”;
3 and

4 (4) by inserting after subparagraph (D), as so
5 redesignated, the following:

6 “(E) REMINING OPERATION.—The term
7 ‘remining operation’ means a coal remining op-
8 eration or an industrial minerals remining oper-
9 ation.”.

10 (d) APPLICABILITY OF STRIP MINING LAWS.—Sec-
11 tion 301(p)(4) of the Federal Water Pollution Control Act
12 (33 U.S.C. 1311(p)(4)) is amended by striking “coal”.

13 (e) CONFORMING AMENDMENT.—Section 301(p) of
14 the Federal Water Pollution Control Act (33 U.S.C.
15 1311(p)) is amended in the subsection heading by striking
16 “COAL”.

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