AMENDMENT TO H.R. 1937, AS REPORTED
OFFERED BY MR. BEN RAY Luján OF NEW MEXICO

Add at the end the following:

TITLE __—MISCELLANEOUS PROVISIONS

SEC. __. AMENDMENT TO CERCLA.

Title I of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) is amended by adding at the end the following:

“SEC. 129. MINING-RELATED PROVISIONS.

“(a) ASSESSMENTS.—The Administrator, the Secretary of Agriculture, and the Secretary of the Interior, in coordination with the Governors of affected States, the heads of appropriate research universities, and the heads of other relevant Federal departments and agencies, shall—

“(1) not later than 180 days after the date of enactment of this section, review known, existing abandoned and inactive mines—

“(A) to identify the most dangerous abandoned and inactive mines on public land and
private land with respect to the existence of pollution and the potential to release any hazardous substance or other pollutant, particularly with respect to contamination of water; and

“(B) to establish a priority plan for activities for removal and remediation of the hazardous substances and other pollutants;

“(2) periodically thereafter, as appropriate, update the priority plan established under paragraph (1)(B) as new information becomes available; and

“(3) develop a long-term research initiative to evaluate the physical, chemical, and geological attributes of closed, abandoned, and inactive mines and pursue technological developments to aid in the cleanup of such mines.

“(b) Actions Prior to Certain Activities.—Before conducting any activity at a mine that presents the significant potential for accidental discharge of a hazardous substance or other pollutant, the Administrator or the head of any other Federal department or agency carrying out an activity for mine remediation shall—

“(1) provide to each tribal, State, and local unit of government the resources or residents of which
may be affected by such a discharge notice regarding the activity; and

“(2) develop a spill prevention, control, and countermeasures plan to avoid and mitigate the impacts of such a discharge.”.

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