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(Original Signature of Member)

119TH CONGRESS  
2D SESSION

# H. R.

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To amend the Surface Mining Control and Reclamation Act of 1977 to strengthen control of the environmental impacts of surface coal mining, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. BEYER introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To amend the Surface Mining Control and Reclamation Act of 1977 to strengthen control of the environmental impacts of surface coal mining, 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 “Contemporaneous  
5 Land and Environmental Action for Neutralizing  
6 Unreclaimed Property at Mines Act of 2026” or the  
7 “CLEAN UP Mines Act of 2026”.

1 **SEC. 2. AMENDMENTS TO SURFACE MINING CONTROL AND**  
2 **RECLAMATION ACT OF 1977.**

3 (a) RECLAMATION PLAN REQUIREMENTS.—Section  
4 508(a)(7) of the Surface Mining Control and Reclamation  
5 Act of 1977 (30 U.S.C. 1258(a)(7)) is amended by insert-  
6 ing “, not to exceed the standards established in section  
7 515(b)(3)” after “reclamation plan”.

8 (b) REVISION OF PERMITS.—Section 511(a) of the  
9 Surface Mining Control and Reclamation Act of 1977 (30  
10 U.S.C. 1261(a)) is amended—

11 (1) by redesignating paragraph (3) as para-  
12 graph (5); and

13 (2) by inserting after paragraph (2) the fol-  
14 lowing:

15 “(3) A request to temporarily cease or suspend min-  
16 ing operations is a significant permit revision for purposes  
17 of paragraph (2).

18 “(4) In each case where no active coal removal or  
19 reclamation has occurred at a permitted mine for more  
20 than 6 months during any 3-year period, the applicable  
21 permit shall be considered out of compliance with the rec-  
22 lamation plan—

23 “(A) unless the permit is in compliance with  
24 the standards established in section 515(b)(3) and  
25 does not have any variances from such standards;  
26 and

1           “(B) until the date on which the regulatory au-  
2           thority approves—

3                   “(i) a reasonable plan submitted by the op-  
4                   erator to return to production not later than 1  
5                   year after the date on which the operator is no-  
6                   tified that the applicable permit is considered  
7                   out of compliance under this paragraph; or

8                   “(ii) an application for a revision of the  
9                   permit submitted by the permittee under para-  
10                  graph (1).”.

11          (c) ENVIRONMENTAL PROTECTION PERFORMANCE  
12          STANDARDS.—Section 515 of the Surface Mining Control  
13          and Reclamation Act of 1977 (30 U.S.C. 1265) is amend-  
14          ed—

15                  (1) in subsection (b)—

16                          (A) in paragraph (3)—

17                                  (i) by inserting “and not later than  
18                                  180 days after the date of the last coal  
19                                  production as reported pursuant to section  
20                                  402(c)” after “except as provided in sub-  
21                                  section (c)”;

22                                  (ii) by inserting “ensure proper drain-  
23                                  age control,” after “with respect to all sur-  
24                                  face coal mining operations”; and

1 (iii) by inserting “and complete all  
2 final backfilling and grading before the  
3 equipment necessary for backfilling and  
4 grading is removed from the site” after “to  
5 retain moisture to assist revegetation or as  
6 otherwise authorized pursuant to this  
7 Act”;

8 (B) in paragraph (16), by inserting “, with  
9 such specific requirements for maximum time  
10 periods allowable for contemporaneous reclama-  
11 tion set forth in paragraphs (3), (19), and (20)  
12 of this subsection, paragraph (7) of subsection  
13 (c), and section 519(c)” after “contempora-  
14 neously as practicable with the surface coal  
15 mining operations”;

16 (C) in paragraph (19), by inserting “not  
17 later than 36 months after the date of last coal  
18 production as reported pursuant to section  
19 402(c)” before “establish on the regraded  
20 areas”;

21 (D) in paragraph (20)—

22 (i) in subparagraph (B), by striking  
23 the period at the end and inserting “;  
24 and”; and

1 (ii) by adding at the end the fol-  
2 lowing:

3 “(C) in no instance shall the operator be al-  
4 lowed more than 1 year greater than the time peri-  
5 ods set forth in this subsection to achieve successful  
6 revegetation;”;

7 (E) in paragraph (22)(I), by striking the  
8 period at the end and inserting a semicolon;

9 (F) in paragraph (23), by striking “and”  
10 at the end; and

11 (G) in paragraph (24), by adding “and” at  
12 the end; and

13 (2) in subsection (c), by adding at the end the  
14 following:

15 “(7) All backfilling and regrading to ensure proper  
16 drainage control, prevent leaching of toxic materials,  
17 eliminate highwalls, spoil piles, and depressions (unless  
18 small depressions are needed in order to retain moisture  
19 to assist revegetation or as otherwise authorized pursuant  
20 to this Act), and ensure stability, shall be completed not  
21 later than 180 days after the date of coal production as  
22 reported pursuant to section 402(c).”.

23 (d) INSPECTIONS AND MONITORING.—Section 517(b)  
24 of the Surface Mining Control and Reclamation Act of  
25 1977 (30 U.S.C. 1267(b)) is amended—

1 (1) in paragraph (2), to read as follows:

2 “(2) the regulatory authority shall—

3 “(A) require quarterly monitoring of both  
4 surface water and ground water during mining  
5 and reclamation;

6 “(B) specify those—

7 “(i) monitoring sites to record the  
8 quantity and quality of surface drainage  
9 above and below the mine site as well as  
10 in the potential zone of influence;

11 “(ii) monitoring sites to record level,  
12 amount, and samples of ground water and  
13 aquifers potentially affected by the mining  
14 and also directly below the lowermost  
15 (deepest) coal seam to be mined;

16 “(iii) records of well logs and borehole  
17 data to be maintained; and

18 “(iv) monitoring sites to record pre-  
19 cipitation; and

20 “(C) require the monitoring, data collec-  
21 tion, and analysis required by this section to be  
22 conducted according to standards and proce-  
23 dures set forth by the regulatory authority in  
24 order to ensure their reliability and validity;”;

1           (2) by redesignating paragraph (3) as para-  
2           graph (5); and

3           (3) by inserting after paragraph (2) the fol-  
4           lowing:

5           “(3) the regulatory authority shall conduct an  
6           annual assessment of the biological condition of  
7           streams to demonstrate progress with respect to re-  
8           storing of the pre-mining biological condition of the  
9           stream;

10          “(4) the regulatory authority shall conduct an  
11          inspection of surface water runoff control structures  
12          after each precipitation event that is at least as in-  
13          tense as a 100-year, 6-hour precipitation event;  
14          and”.

15          (e) RELEASE OF PERFORMANCE BONDS OR DEPOS-  
16          ITS.—Section 519(c) of the Surface Mining Control and  
17          Reclamation Act of 1977 (30 U.S.C. 1269(c)) is amend-  
18          ed—

19                 (1) in paragraph (1)—

20                         (A) by inserting “and section 515(b)(3), or  
21                         section 515(c)(7), as applicable,” after “with  
22                         his approved reclamation plan”; and

23                         (B) by striking “60” and inserting “40”;

1           (2) in paragraph (2), by inserting “and section  
2           515(b)(19)” after “in accordance with the approved  
3           reclamation plan”; and

4           (3) in paragraph (3), by inserting “in accord-  
5           ance with the approved reclamation plan and section  
6           515(b)(20),” after “When the operator has com-  
7           pleted successfully all surface coal mining and rec-  
8           lamation activities”.