

119TH CONGRESS
2D SESSION

H. R. 9023

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.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2026

Mr. BEYER (for himself, Ms. LEE of Pennsylvania, and Mr. DELUZIO) introduced the following bill; which was referred to the Committee on Natural Resources

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”.

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