

Calendar No. 228

119TH CONGRESS
1ST SESSION**S. 2741**

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 9, 2025

Mr. KELLY (for himself and Ms. LUMMIS) introduced the following bill; which
was read twice and referred to the Committee on Environment and Public
Works

OCTOBER 29, 2025

Reported by Mrs. CAPITO, with an amendment

[Omit the part struck through and insert the part printed in italic]

A BILL

To establish within 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 2025”.

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

2 (a) DEFINITIONS.—In this section:

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

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

9 (A) the Committee on Appropriations of
10 the Senate;

11 (B) the Committee on Energy and Natural
12 Resources of the Senate;

13 (C) the Committee on Environment and
14 Public Works of the Senate;

15 (D) the Committee on Health, Education,
16 Labor, and Pensions of the Senate;

17 (E) the Committee on Indian Affairs of the
18 Senate;

19 (F) the Committee on Appropriations of
20 the House of Representatives;

21 (G) the Committee on Energy and Com-
22 merce of the House of Representatives;

23 (H) the Committee on Transportation and
24 Infrastructure of the House of Representatives;

25 (I) the Committee on Natural Resources of
26 the House of Representatives; and

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

3 (3) CLEANUP ACTION.—The term “cleanup ac-
4 tion” means 1 or more actions taken to address con-
5 taminated media at a covered mine site pursuant to
6 1 or more existing authorities of the Administrator,
7 including—

8 (A) the Comprehensive Environmental Re-
9 sponse, Compensation, and Liability Act of
10 1980 (42 U.S.C. 9601 et seq.);

11 (B) the Good Samaritan Remediation of
12 Abandoned Hardrock Mines Act of 2024 (30
13 U.S.C. 1245 note; Public Law 118–155);

14 (C) the Solid Waste Disposal Act (42
15 U.S.C. 6901 et seq.);

16 (D) the Federal Water Pollution Control
17 Act (33 U.S.C. 1251 et seq.); and

18 (E) any other existing authority of the Ad-
19 ministrator.

20 (4) COVERED MINE SITE.—The term “covered
21 mine site” means Federal, State, Tribal, local, and
22 private land that has been affected by past hardrock
23 mining activities and water resources that traverse
24 or are contiguous to such land.

1 (5) INDIAN COUNTRY.—The term “Indian coun-
 2 try” has the meaning given the term in section 1151
 3 of title 18, United States Code.

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

8 (7) OFFICE.—The term “Office” means the Of-
 9 fice of Mountains, Deserts, and Plains established by
 10 subsection (b)(1).

11 (8) REGIONAL OFFICE.—The term “Regional
 12 Office” means a Regional Office of the Environ-
 13 mental Protection Agency.

14 (b) ESTABLISHMENT.—

15 (1) IN GENERAL.—There is established within
 16 the office of the Environmental Protection Agency
 17 that administers solid waste programs the Office of
 18 Mountains, Deserts, and Plains.

19 (2) DIRECTOR.—The Office shall be headed by
 20 a Director, to be selected by the Administrator (or
 21 a designee).

22 (c) PURPOSES.—The purposes of the Office shall
 23 be—

24 (1) to coordinate between the headquarters of
 25 the Environmental Protection Agency, Regional Of-

1 fices, and stakeholders on cleanup actions of the En-
2 vironmental Protection Agency at a covered mine
3 site, including a covered mine site in Indian country,
4 in accordance with Federal law;

5 (2) to establish and disseminate best practices
6 for covered mine site cleanup actions, including iden-
7 tifying—

8 (A) innovative technologies and reuse ap-
9 proaches that support and make progress to-
10 ward those cleanup actions; and

11 (B) waste storage and disposal solutions;

12 (3) to coordinate among the headquarters of
13 the Environmental Protection Agency, Regional Of-
14 fices, Federal land management agencies, States, In-
15 dian Tribes, and voluntary nongovernmental organi-
16 zations, watershed groups, nonliable entities and
17 mining companies, and other entities on voluntary
18 cleanup actions at covered mine sites, where applica-
19 ble, including timely issuance of administrative guid-
20 ance for nonliable parties;

21 (4) to coordinate within the Environmental Pro-
22 tection Agency and with other Federal agencies to
23 encourage contracting opportunities for small busi-
24 nesses to participate in cleanup actions at covered

mine sites, consistent with applicable Federal procurement authorities;

(5) to coordinate with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, the Secretary of Health and Human Services, the Nuclear Regulatory Commission, and other Federal agencies, as the Administrator determines to be appropriate, to ensure interagency coordination of covered mine site cleanup actions, with priority given to coordinating cleanup actions at covered mine sites for which there is no potentially responsible party; and

(6) to coordinate other actions as the Administrator determines to be appropriate, pursuant to existing authorities of the Administrator—

(A) to support efforts to investigate, characterize, or clean up a discharge, release, or threat of release of a hazardous substance, pollutant, or contaminant into the environment at or from a covered mine site; or

(B) to establish best practices to protect and improve human health and the environment and implement appropriate reuse options, including through the use of innovative tech-

1 nologies to recover valuable resources from cov-
2 ered mine site features or areas, as applicable.

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

5 (1) PRIORITY MINE LIST.—

6 (A) IN GENERAL.—Annually, the Adminis-
7 trator shall identify covered mine sites that are
8 prioritized for cleanup actions, which may in-
9 clude covered mine sites that are or are not in-
10 cluded on the National Priorities List developed
11 by the President in accordance with section
12 105(a)(8)(B) of the Comprehensive Environ-
13 mental Response, Compensation, and Liability
14 Act of 1980 (42 U.S.C. 9605(a)(8)(B)).

15 (B) CREATION OF LIST; REPORTS.—The
16 Administrator shall annually—

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

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

21 (I) the methodology used to iden-
22 tify those covered mine sites under
23 that subparagraph; and

1 (II) the status of cleanup actions
2 carried out at covered mine sites on
3 the list.

4 (C) COORDINATION.—The Administrator
5 shall—

6 (i) regularly coordinate with Regional
7 Offices, Federal agencies, States, Indian
8 Tribes, Alaska Native Corporations, and
9 stakeholders to update the list of covered
10 mine sites identified under subparagraph
11 (A); and

12 (ii) regularly coordinate with Regional
13 Offices on cleanup actions and share best
14 practices with respect to each covered mine
15 site identified under subparagraph (A).

16 (2) PROCESS IMPROVEMENT.—

17 (A) IN GENERAL.—The Administrator
18 shall, pursuant to existing authorities of the
19 Administrator—

20 (i) identify best practices for devel-
21 oping, reviewing, and approving site as-
22 sessments, remedial investigations, and
23 feasibility studies for covered mine sites;

24 (ii) coordinate research relating to
25 technologies and cleanup approaches that

1 are the most successful in limiting the
2 acute and chronic risks posted to human
3 health and the environment by covered
4 mine sites; and

5 (iii) support—

6 (I) government-to-government
7 consultations with Indian Tribes initi-
8 ated by the Administrator or another
9 Federal agency with respect to a cov-
10 ered mine site located within Indian
11 country; and

12 (II) efforts to provide regular up-
13 dates to the Tribal governments in-
14 volved in cleanup actions for a covered
15 mine site located on Tribal land under
16 the jurisdiction of the Indian Tribe.

17 (B) TRIBAL CONSULTATION.—In sup-
18 porting consultations with Indian Tribes under
19 subparagraph (A)(iii)(I), the Administrator, in
20 addition to existing applicable law, shall—

21 (i) as appropriate, invite potentially
22 responsible parties, including Federal
23 agencies, to participate in government-to-
24 government consultations with Indian
25 Tribes;

(ii) as appropriate, consult with Alaska Native Corporations in accordance with section 161 of division H of the Consolidated Appropriations Act, 2004 (25 U.S.C. 5301 note; Public Law 108–199); and

(iii) as appropriate, ensure consultations with Tribal allottees occur pursuant to section 2 of the Act of February 5, 1948 (62 Stat. 18, chapter 45; 25 U.S.C. 324).

(3) INTERAGENCY PLANS FOR URANIUM CONTAMINATION ON THE NAVAJO NATION; REPORTS.—

(A) IN GENERAL.—Not later than September 30, 2028, and not less frequently than once every 10 years thereafter, the Administrator, in cooperation with other relevant Federal agencies, including, at a minimum, the Department of Energy, the ~~Nuclear Energy Regulatory Commission~~ *Nuclear Regulatory Commission*, the Department of the Interior, the Indian Health Service, and the Agency for Toxic Substances and Disease Registry, and in consultation with affected Tribal governments, shall develop a 10-year interagency plan for the coordination of the Federal Government with States

1 and Tribal governments to carry out cleanup
2 actions at Navajo Nation abandoned uranium
3 mine sites, including—

4 (i) goals for the assessment of, and
5 cleanup actions at, Navajo Nation aban-
6 doned uranium mine sites;

7 (ii) target dates by which goals de-
8 scribed in clause (i) are anticipated to be
9 achieved, subject to appropriations and
10 funding from potentially responsible par-
11 ties;

12 (iii) the projected appropriations nec-
13 essary to achieve goals described in clause
14 (i) by the target dates described in clause
15 (ii); and

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

18 (B) REPORTS.—Not later than 90 days
19 after the date on which a plan is developed
20 under subparagraph (A), the Administrator
21 shall submit to the appropriate committees of
22 Congress a report describing the applicable
23 plan.

24 (4) ADMINISTRATIVE AND TECHNICAL ASSIST-
25 ANCE.—The Administrator shall, pursuant to exist-

1 ing authorities of the Administrator, provide to
2 States, units of local government, Indian Tribes, and
3 other entities technical assistance with respect to
4 cleanup actions on covered mine sites.

5 (e) SAVINGS PROVISIONS.—Nothing in this section—

6 (1) provides the Administrator with new regu-
7 latory authority not already established in law; or

8 (2) shall be interpreted as establishing a default
9 standard or authority to be used for cleanup actions
10 at covered mine sites, including the definition of
11 “cleanup action” in subsection (a).

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