

111TH CONGRESS
1ST SESSION

H. R. 3123

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30, 2009

Received

OCTOBER 13, 2009

Read twice and referred to the Committee on Energy and Natural Resources

AN ACT

To direct the Secretary of the Interior, acting through the Bureau of Reclamation, to remedy problems caused by a collapsed drainage tunnel in Leadville, Colorado, 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,*

1 **SECTION 1. LEADVILLE MINE DRAINAGE TUNNEL REMEDI-**
2 **ATION.**

3 (a) **SHORT TITLE.**—This section may be cited as the
4 “Leadville Mine Drainage Tunnel Remediation Act of
5 2009”.

6 (b) **TUNNEL REMEDIATION.**—The Reclamation
7 Projects Authorization and Adjustment Act of 1992 (Pub-
8 lic Law 102–575) is amended as follows:

9 (1) By striking section 705.

10 (2) In section 708(a)—

11 (A) by striking “(a)” and inserting
12 “(a)(1)”;

13 (B) by striking “The Secretary shall have”
14 and inserting “Except as provided by paragraph
15 (2), the Secretary shall have”; and

16 (C) by adding at the end the following:

17 “(2) The Secretary shall participate in the implemen-
18 tation of the operable unit 6 remedy for the California
19 Gulch Superfund Site, including, but not limited to, the
20 following actions:

21 “(A) Treating water behind any blockage or
22 bulkhead in the Leadville Mine Drainage Tunnel, in-
23 cluding surface water diverted into the Tunnel
24 workings as part of the remedy.

25 “(B) Managing and maintaining the mine pool
26 behind such blockage or bulkhead at a level that pre-

1 cludes surface runoff and releases and minimizes the
2 potential for tunnel failure due to excessive water
3 pressure in the tunnel.”.

4 (3) In section 708(f), by striking “and 708”
5 and inserting “, 708, and 709”.

6 (4) By adding at the end of title VII the fol-
7 lowing:

8 **“SEC. 709. TUNNEL MAINTENANCE.**

9 “The Secretary shall take such steps to repair or
10 maintain the structural integrity of the Leadville Mine
11 Drainage Tunnel (LMDT) as may be necessary in order
12 to prevent tunnel failure and to preclude uncontrolled re-
13 lease of water from any portion of the tunnel.”.

14 (5) In the table of sections contained in section
15 2—

16 (A) by striking the item relating to section
17 705; and

18 (B) by inserting after the item relating to
19 section 708 the following new item:

“Sec. 709. Tunnel maintenance.”.

Passed the House of Representatives September 29,
2009.

Attest: LORRAINE C. MILLER,
Clerk.