

117TH CONGRESS
2D SESSION

H. R. 7937

To direct the Secretary of the Interior, acting through the Office of Surface Mining Reclamation and Enforcement, to establish a program to facilitate coal mine reclamation and award grants to certain States and Indian Tribes to carry out coal mine reclamation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2022

Mr. LAMB (for himself and Mr. MICHAEL F. DOYLE of Pennsylvania) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To direct the Secretary of the Interior, acting through the Office of Surface Mining Reclamation and Enforcement, to establish a program to facilitate coal mine reclamation and award grants to certain States and Indian Tribes to carry out coal mine reclamation, 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 “Revitalize, Enhance,
5 and Nurture in Expanded Ways Our Abandoned Mine

1 Lands Act” or the “RENEW Our Abandoned Mine Lands
2 Act”.

3 **SEC. 2. AMENDMENTS TO THE SURFACE MINING CONTROL
4 AND RECLAMATION ACT.**

5 (a) COAL MINE RECLAMATION PROGRAM.—Title V
6 of the Surface Mining Control and Reclamation Act of
7 1977 (30 U.S.C. 1251 et seq.) is amended by adding at
8 the end the following:

9 **“SEC. 530. OSMRE COAL MINE RECLAMATION PROGRAM.**

10 “(a) ESTABLISHMENT.—Not later than 1 year after
11 the date of the enactment of this Act, the Secretary shall
12 establish a program—

13 “(1) to help ensure the Office of Surface Min-
14 ing Reclamation and Enforcement has sufficient
15 funds to carry out covered reclamation projects; and

16 “(2) to award grants to States and Indian
17 tribes to carry out covered reclamation projects.

18 “(b) GRANT PROGRAM.—

19 “(1) IN GENERAL.—The Secretary may award
20 grants under this section to States and Indian tribes
21 to carry out covered reclamation projects.

22 “(2) PRIORITY.—In awarding grants under this
23 section, the Secretary shall allocate grant funds
24 based on need.

1 “(3) ADDITIONAL CRITERIA.—To be eligible for
2 a grant under this section—

3 “(A) a State or Indian tribe shall maintain
4 State bonding requirements approved under
5 section 503 that are not less stringent than the
6 bonding requirements of such State on the date
7 of enactment of this section;

8 “(B) if the Secretary determines appro-
9 priate, a State or Indian tribe shall address de-
10 ficiencies in its approved alternative bonding
11 system on permitted coal mines;

12 “(C) an Indian tribe shall have an ap-
13 proved regulatory program pursuant to this
14 title and section 710;

15 “(D) a State or Indian tribe shall dem-
16 onstrate—

17 “(i) the use of all available legal rem-
18 edies to the extent practicable to recover
19 reclamation costs from responsible persons
20 liable under this Act, including corporate
21 parents, owners, and executives;

22 “(ii) with respect to the use of such
23 grant funds, requirements for—

24 “(I) active coal mines within its
25 jurisdiction to reclaim surface areas

1 as contemporaneously as practicable
2 with surface coal mining operations
3 pursuant to the purposes of this Act;

4 “(II) coal mine reclamation with-
5 in its jurisdiction to be carried out ac-
6 cording to approved reclamation
7 plans;

8 “(III) compliance with the Clean
9 Water Act (33 U.S.C. 1251 et seq.);
10 and

11 “(IV) payments of wages not less
12 than those prevailing on similar
13 projects in the locality, for all laborers
14 and mechanics employed by contrac-
15 tors or subcontractors in the perform-
16 ance of construction, alteration, or re-
17 pair work on a project assisted in
18 whole or in part by funding made
19 available under this section, as deter-
20 mined by the Secretary of Labor in
21 accordance with subchapter IV of
22 chapter 31 of title 40, United States
23 Code (commonly referred to as the
24 “Davis-Bacon Act”);

1 “(iii) the aggregation of reclamation
2 projects when practicable to improve
3 economies of scale; and

4 “(iv) active facilitation of community
5 engagement in the design and oversight of
6 reclamation projects; and

7 “(E) meet such additional requirements as
8 the Secretary determines appropriate.

9 “(4) APPLICATION.—

10 “(A) ANNUAL REQUIREMENT.—The Sec-
11 retary shall require, from each State or Indian
12 tribe applying for grant funds under this sec-
13 tion, an application for each fiscal year.

14 “(B) PROJECTED SHORTFALL.—Each ap-
15 plication shall include the following information:

16 “(i) For a State applicant, the pro-
17 jected annual shortfall in funding for rec-
18 lamation with respect to all coal mines
19 where the State forfeited a reclamation
20 bond.

21 “(ii) For an Indian tribe applicant,
22 the projected annual shortfall in funding
23 for reclamation with respect to all coal
24 mines where the Indian tribe forfeited a
25 reclamation bond.

1 “(c) AUTHORIZATION OF APPROPRIATIONS.—

2 “(1) IN GENERAL.—In addition to amounts
3 otherwise available, there is authorized to be appro-
4 priated to the Secretary \$385,000,000 for each of
5 fiscal years 2023 through 2032 to carry out this sec-
6 tion.

7 “(2) ADMINISTRATIVE COSTS.—Of the amounts
8 made available under this section, the Secretary may
9 use \$1,000,000 each fiscal year for the costs of ad-
10 ministering this section.

11 “(d) DEFINITIONS.—In this section:

12 “(1) COVERED RECLAMATION PROJECT.—The
13 term ‘covered reclamation project’—

14 “(A) means a coal mine reclamation
15 project on a site where a performance bond was
16 forfeited and found to be insufficient; and

17 “(B) includes reclamation projects—

18 “(i) involving lands or waters mined
19 for coal under a permit under this Act that
20 were subject to permit revocation and bond
21 forfeiture pursuant to section 800.50 of
22 title 30, Code of Federal Regulations, (or
23 its equivalent in an approved State or
24 Tribal program); and

1 “(ii) where there is a shortfall be-
2 tween the actual cost of reclamation, in-
3 cluding long-term water treatment, and the
4 value of any forfeited bonding instrument.

5 “(2) SECRETARY.—The term ‘Secretary’ means
6 the Secretary of the Interior, acting through the Of-
7 fice of Surface Mining Reclamation and Enforce-
8 ment.

9 “(e) TERMINATION.—The program established under
10 subsection (a) shall terminate on September 30, 2032.”.

11 “(b) GRANTS TO THE STATES.—Section 705(a) of the
12 Surface Mining Control and Reclamation Act of 1977 (30
13 U.S.C. 1295(a)) is amended to read as follows:

14 “(a) The Secretary is authorized to make annual
15 grants to any State for the purpose of assisting such State
16 in developing, administering, and enforcing State pro-
17 grams under this Act. Except as provided in subsection
18 (c)—

19 “(1) through fiscal year 2022, such grants shall
20 not exceed 80 percent of the total costs incurred
21 during the first year, 60 percent of total costs in-
22 curred during the second year, and 50 percent of the
23 total costs incurred during each year thereafter;

1 “(2) for fiscal year 2023 and 2024, such grants
2 shall not exceed 75 percent of the total costs in-
3 curred during each year; and

4 “(3) for fiscal year 2025 and thereafter, such
5 grants shall not exceed 100 percent of the total costs
6 incurred during each year.”.

7 (c) CLERICAL AMENDMENT.—The table of contents
8 for the Surface Mining Control and Reclamation Act of
9 1977 (30 U.S.C. 1201 et seq.) is amended by inserting
10 after the item relating to section 529 the following:

“Sec. 530. OSMRE coal mine reclamation program.”.

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