

119TH CONGRESS
2D SESSION

H. R. 7268

To allow the Secretary of the Army to carry out authorized water development projects that address contaminated sediments pursuant to a joint remediation plan developed in coordination with the non-Federal interest and approved by the Administrator of the Environmental Protection Agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2026

Ms. POU (for herself and Ms. MALLIOTAKIS) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To allow the Secretary of the Army to carry out authorized water development projects that address contaminated sediments pursuant to a joint remediation plan developed in coordination with the non-Federal interest and approved by the Administrator of the Environmental Protection Agency, 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. SHORT TITLE.**

2 This Act may be cited as the “Coordinated Leader-
3 ship for Environmental and Aquatic Needs–Unified Plan-
4 ning Act” or the “CLEAN–UP Act”.

5 **SEC. 2. REMOVAL OR REMEDIATION OF CONTAMINATED**
6 **SEDIMENT.**

7 (a) IN GENERAL.—The Secretary shall not be liable
8 under the Comprehensive Environmental Response, Com-
9 pensation, and Liability Act of 1980 (42 U.S.C. 9601 et
10 seq.) for the release of a hazardous substance or pollutant
11 or contaminant resulting from any covered activity carried
12 out in accordance with a joint plan developed under this
13 section by the Secretary, in coordination with the non-
14 Federal interest for the covered activity, and approved by
15 the Administrator.

16 (b) JOINT PLAN.—A joint plan developed under sub-
17 section (a) shall—

18 (1) ensure that the covered activity protects
19 human health and the environment; and

20 (2) include—

21 (A) relevant and appropriate requirements
22 of the National Contingency Plan;

23 (B) a description of the work to be under-
24 taken;

25 (C) identification of—

1 (i) the method to be used for dredged
2 material disposal;

3 (ii) the roles and responsibilities of
4 the Secretary and non-Federal interest;
5 and

6 (iii) sources of funding; and

7 (D) such other terms and conditions as the
8 Administrator determines necessary.

9 (c) CONSULTATION; PUBLIC COMMENT.—In devel-
10 oping a joint plan under subsection (a), the Secretary
11 shall—

12 (1) consult with interested Federal, State, and
13 local government officials; and

14 (2) provide an opportunity for public comment.

15 (d) OBLIGATIONS OF THE SECRETARY.—Prior to car-
16 rying out any covered activity pursuant to a joint plan
17 developed under subsection (a), the Secretary shall—

18 (1) document any hazardous substance or pol-
19 lutant or contaminant present in the contaminated
20 sediment to be removed or remediated; and

21 (2) seek to identify any person potentially re-
22 sponsible for the release of such hazardous sub-
23 stance or pollutant or contaminant.

24 (e) COST RECOVERY.—Nothing in this section affects
25 the responsibility of the Federal Government to seek re-

1 covery under the Comprehensive Environmental Response,
2 Cleanup, and Liability Act of 1980 (42 U.S.C. 9601 et
3 seq.) from responsible parties of response costs incurred
4 by the Secretary in carrying out a covered activity.

5 (f) DEFINITIONS.—In this section:

6 (1) ADMINISTRATOR.—The term “Adminis-
7 trator” means the Administrator of the Environ-
8 mental Protection Agency.

9 (2) CONTAMINATED SEDIMENT.—The term
10 “contaminated sediment” means sediment in which
11 a hazardous substance or pollutant or contaminant
12 is present.

13 (3) COVERED ACTIVITY.—The term “covered
14 activity” means the removal or remediation of con-
15 taminated sediment pursuant to—

16 (A) a water resources development project
17 specifically authorized by Congress for such
18 purpose; or

19 (B) section 312(f) of the Water Resources
20 Development Act of 1990 (33 U.S.C. 1272(f)).

21 (4) HAZARDOUS SUBSTANCE.—The term “haz-
22 ardous substance” has the meaning given that term
23 in section 101 of the Comprehensive Environmental
24 Response, Compensation, and Liability Act of 1980
25 (42 U.S.C. 9601).

1 (5) NATIONAL CONTINGENCY PLAN.—The term
2 “National Contingency Plan” means the national
3 contingency plan published under section 105 of the
4 Comprehensive Environmental Response, Compensa-
5 tion, and Liability Act of 1980 (42 U.S.C. 9601).

6 (6) POLLUTANT OR CONTAMINANT.—The term
7 “pollutant or contaminant” has the meaning given
8 that term in section 101 of the Comprehensive Envi-
9 ronmental Response, Compensation, and Liability
10 Act of 1980 (42 U.S.C. 9601).

11 (7) SECRETARY.—The term “Secretary” means
12 the Secretary of the Army, acting through the Chief
13 of Engineers.

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