

## 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.

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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]

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**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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