

110TH CONGRESS  
2D SESSION

# H. R. 5511

---

IN THE SENATE OF THE UNITED STATES

JUNE 20 (legislative day, JUNE 19), 2008

Received; 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 2008”.

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, as such remedy is defined in the  
20 Environmental Protection Agency’s 2003 Record of Deci-  
21 sion for such operable unit, by—

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

1           “(B) managing and maintaining the mine pool  
2           behind such blockage or bulkhead at a level that pre-  
3           cludes surface runoff and releases and minimizes the  
4           potential for tunnel failure due to excessive water  
5           pressure in the tunnel.”.

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

8           (4) By adding at the end of title VII the fol-  
9           lowing:

10   **“SEC. 709. TUNNEL MAINTENANCE.**

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

16           (5) In the table of sections contained in section  
17           2—

18                       (A) by striking the item relating to section  
19           705; and

- 1 (B) by inserting after the item relating to  
2 section 708 the following new item:

“Sec. 709. Tunnel maintenance.”.

Passed the House of Representatives June 19, 2008.

Attest: LORRAINE C. MILLER,  
*Clerk.*