

111TH CONGRESS
1ST SESSION

S. 1417

To amend the Reclamation Projects Authorization and Adjustment Act of 1992 to require 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.

IN THE SENATE OF THE UNITED STATES

JULY 8, 2009

Mr. UDALL of Colorado introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Reclamation Projects Authorization and Adjustment Act of 1992 to require 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Leadville Mine Drain-
5 age Tunnel Remediation Act of 2009”.

1 **SEC. 2. TUNNEL MAINTENANCE.**

2 Section 705 of the Reclamation Projects Authoriza-
 3 tion and Adjustment Act of 1992 (Public Law 102–575;
 4 106 Stat. 4656) is amended to read as follows:

5 **“SEC. 705. TUNNEL MAINTENANCE.**

6 “The Secretary shall take such steps to repair or
 7 maintain the structural integrity of the Leadville Mine
 8 Drainage Tunnel as are necessary to prevent Tunnel fail-
 9 ure and to preclude uncontrolled release of water from any
 10 portion of the Tunnel.”.

11 **SEC. 3. WATER QUALITY RESTORATION.**

12 (a) IN GENERAL.—Section 708(a) of the Reclamation
 13 Projects Authorization and Adjustment Act of 1992 (Pub-
 14 lic Law 102–575; 106 Stat. 4657) is amended—

15 (1) by striking “(a) The Secretary” and insert-
 16 ing the following:

17 “(a) IN GENERAL.—

18 “(1) AUTHORIZATION.—The Secretary”;

19 (2) by striking “Neither” and inserting the fol-
 20 lowing:

21 “(2) LIABILITY.—Neither”;

22 (3) by striking “The Secretary shall have” and
 23 inserting the following:

24 “(3) FACILITIES COVERED UNDER OTHER
 25 LAWS.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B), the Secretary shall have”;

3 (4) by inserting after “Recovery Act.” the fol-
4 lowing:

5 “(B) CALIFORNIA GULCH SUPERFUND
6 SITE OPERABLE UNIT 6 REMEDY.—The Sec-
7 retary shall participate in the implementation of
8 the operable unit 6 remedy for the California
9 Gulch Superfund Site, as the remedy is de-
10 scribed in the Record of Decision of the Envi-
11 ronmental Protection Agency for the operable
12 unit (2003), by—

13 “(i) treating water behind any block-
14 age or bulkhead in the Leadville Mine
15 Drainage Tunnel, including surface water
16 diverted into the Tunnel workings as part
17 of the remedy; and

18 “(ii) managing and maintaining the
19 mine pool behind the blockage or bulkhead
20 at a level that precludes surface runoff and
21 releases and minimizes the potential for
22 Tunnel failure due to excessive water pres-
23 sure in the Tunnel.”; and

24 (5) by striking “For the purpose of” and insert-
25 ing the following:

1 “(4) DEFINITION OF UPPER ARKANSAS RIVER
2 BASIN.—In”.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
4 708(f) of the Reclamation Projects Authorization and Ad-
5 justment Act of 1992 (Public Law 102–575; 106 Stat.
6 4657) is amended by striking “sections 707 and 708” and
7 inserting “this section and sections 705 and 707”.

○