

115TH CONGRESS  
1ST SESSION

# S. 1669

To provide mandatory funding for the remediation of National Priority List sites, certain abandoned coal mining sites, and formerly used defense sites, and for the Formerly Utilized Sites Remedial Action Program and the Diesel Emissions Reduction Program, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 27, 2017

Mr. BOOKER introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To provide mandatory funding for the remediation of National Priority List sites, certain abandoned coal mining sites, and formerly used defense sites, and for the Formerly Utilized Sites Remedial Action Program and the Diesel Emissions Reduction Program, 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 “Environmental Clean-  
5       up Infrastructure Act”.

1 **SEC. 2. MANDATORY APPROPRIATIONS FOR REMEDIATION**  
2 **AND CERTAIN PROGRAMS.**

3 (a) DEFINITIONS.—In this section:

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

7 (2) ELIGIBLE ABANDONED COAL MINING  
8 SITE.—The term “eligible abandoned coal mining  
9 site” means an abandoned coal mining site—

10 (A) described in the Abandoned Mine Land  
11 Inventory System of the Department of the In-  
12 terior; and

13 (B) for which the reclamation costs are not  
14 funded by the Abandoned Mine Reclamation  
15 Fund created by section 401 of the Surface  
16 Mining Control and Reclamation Act of 1977  
17 (30 U.S.C. 1231).

18 (b) PRIORITY FOR REMEDIATION.—In providing  
19 funding for the remediation of eligible abandoned coal  
20 mining sites with funds made available under subsection  
21 (d)(1)(A)(ii), the Administrator shall prioritize remedi-  
22 ations that have the potential to facilitate economic revi-  
23 talization.

24 (c) CONSULTATION AND CONCURRENCE RE-  
25 QUIRED.—In identifying and prioritizing eligible aban-  
26 doned coal mining sites to be remediated with funds made

1 available under subsection (d)(1)(A)(ii), the Administrator  
2 shall consult with, and obtain the concurrence of, the Di-  
3 rector of the Office of Surface Mining Reclamation and  
4 Enforcement.

5 (d) FUNDING.—

6 (1) REMEDIAL ACTIONS BY THE ADMINIS-  
7 TRATOR.—

8 (A) IN GENERAL.—On October 1, 2017,  
9 and on each October 1 thereafter through Octo-  
10 ber 1, 2026, out of any funds in the Treasury  
11 not otherwise appropriated, the Secretary of the  
12 Treasury shall transfer to the Administrator, to  
13 remain available until expended—

14 (i) \$3,000,000,000 for remedial ac-  
15 tions at sites on the National Priorities  
16 List developed by the President in accord-  
17 ance with section 105(a)(8)(B) of the  
18 Comprehensive Environmental Response,  
19 Compensation, and Liability Act of 1980  
20 (42 U.S.C. 9605(a)(8)(B)) to supplement  
21 existing appropriations; and

22 (ii) \$1,000,000,000 for remedial ac-  
23 tions pursuant to that Act (42 U.S.C.  
24 9601 et seq.) to address releases of haz-

ardous substances at eligible abandoned  
coal mining sites.

(B) RECEIPT AND ACCEPTANCE.—The Administrator shall be entitled to receive, shall accept, and shall use to carry out the purposes described in subparagraph (A) the funds transferred under that subparagraph, without further appropriation.

(2) REMEDIAL ACTIONS BY THE SECRETARY OF  
THE ARMY.—

(A) IN GENERAL.—On October 1, 2017, and each October 1 thereafter through October 1, 2026, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of the Army, acting through the Chief of Engineers, to remain available until expended—

(i) \$1,270,000,000 for environmental restoration of formerly used defense sites under section 2701 of title 10, United States Code; and

(ii) \$300,000,000 for the Formerly Utilized Sites Remedial Action Program of the Secretary of the Army, acting through the Chief of Engineers.

1 (B) RECEIPT AND ACCEPTANCE.—The  
2 Secretary of the Army, acting through the Chief  
3 of Engineers, shall be entitled to receive, shall  
4 accept, and shall use for the purposes described  
5 in subparagraph (A) the funds transferred  
6 under that subparagraph, without further ap-  
7 propriation.

8 (3) DIESEL EMISSIONS REDUCTION PRO-  
9 GRAM.—

10 (A) IN GENERAL.—On October 1, 2017,  
11 and each October 1 thereafter through October  
12 1, 2026, out of any funds in the Treasury not  
13 otherwise appropriated, the Secretary of the  
14 Treasury shall transfer to the Administrator for  
15 the Diesel Emissions Reduction Program under  
16 sections 792 and 793 of the Energy Policy Act  
17 of 2005 (42 U.S.C. 16132, 16133)  
18 \$100,000,000, to remain available until ex-  
19 pended.

20 (B) RECEIPT AND ACCEPTANCE.—The Ad-  
21 ministrator shall be entitled to receive, shall ac-  
22 cept, and shall use for the purpose described in  
23 subparagraph (A) the funds transferred under

- 1 that subparagraph, without further appropria-
- 2 tion.

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