

116TH CONGRESS  
1ST SESSION

# H. R. 844

To amend the Federal Water Pollution Control Act to allow for modified permits for industrial minerals remining operations, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2019

Mr. GIBBS introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Federal Water Pollution Control Act to allow for modified permits for industrial minerals remining operations, 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 “Industrial Mineral  
5       Parity Act of 2019”.

6       **SEC. 2. MODIFIED PERMIT FOR REMINING OPERATIONS.**

7       (a) IN GENERAL.—Section 301(p)(1) of the Federal  
8       Water Pollution Control Act (33 U.S.C. 1311(p)(1)) is  
9       amended by striking “coal”.

1 (b) LIMITATIONS.—Section 301(p)(2) of the Federal  
2 Water Pollution Control Act (33 U.S.C. 1311(p)(2)) is  
3 amended by striking “coal” each place it appears.

4 (c) DEFINITIONS.—Section 301(p)(3) of the Federal  
5 Water Pollution Control Act (33 U.S.C. 1311(p)(3)) is  
6 amended—

7 (1) by redesignating subparagraphs (B) and  
8 (C) as subparagraphs (D) and (F), respectively;

9 (2) by inserting after subparagraph (A) the fol-  
10 lowing:

11 “(B) INDUSTRIAL MINERAL.—The term  
12 ‘industrial mineral’ means limestone, clay, sand,  
13 gravel, diatomite, kaolin, bentonite, silica, bar-  
14 ite, gypsum, or talc.

15 “(C) INDUSTRIAL MINERALS REMINING OP-  
16 ERATION.—The term ‘industrial minerals re-  
17 mining operation’ means an industrial minerals  
18 mining operation that begins after the date of  
19 the enactment of the Industrial Mineral Parity  
20 Act of 2019 at a site on which coal mining was  
21 conducted before the effective date of the Sur-  
22 face Mining Control and Reclamation Act of  
23 1977.”;

1           (3) in subparagraph (D), as so redesignated, by  
2       striking “coal remining” and inserting “remining”;  
3       and

4           (4) by inserting after subparagraph (D), as so  
5       redesignated, the following:

6           “(E) REMINING OPERATION.—The term  
7       ‘remining operation’ means a coal remining op-  
8       eration or an industrial minerals remining oper-  
9       ation.”.

10       (d) APPLICABILITY OF STRIP MINING LAWS.—Sec-  
11   tion 301(p)(4) of the Federal Water Pollution Control Act  
12   (33 U.S.C. 1311(p)(4)) is amended by striking “coal”.

13       (e) CONFORMING AMENDMENT.—Section 301(p) of  
14   the Federal Water Pollution Control Act (33 U.S.C.  
15   1311(p)) is amended in the subsection heading by striking  
16   “COAL”.

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