

Federal land under the jurisdiction of that Federal land management agency under a Good Samaritan permit; and

“(2) the Environmental Protection Agency.

“(b) DEPOSITS.—Each Fund shall consist of—

“(1) amounts provided in appropriation Acts;

“(2) any proceeds from reprocessing deposited under section 4(f)(4)(B)(iv);

“(3) any financial assurance funds collected from an agreement described in section 4(m)(1)(A)(vi)(V)(bb);

“(4) any funds collected for long-term operations and maintenance under an agreement under section 4(r)(5); and

“(5) any amounts donated to the Fund by any person.

“(c) UNUSED FUNDS.—Amounts in each Fund not currently needed to carry out this Act shall be maintained as readily available or on deposit.

“(d) RETAIN AND USE AUTHORITY.—The Administrator and each head of a Federal land management agency, as appropriate, may, notwithstanding any other provision of law, retain and use money deposited in the applicable Fund without fiscal year limitation for the purpose of carrying out this Act.

“SEC. 6. REPORT TO CONGRESS.

“(a) IN GENERAL.—Not later than 8 years after the date of enactment of this Act [Dec. 17, 2024], the Administrator, in consultation with the heads of Federal land management agencies, shall submit to the Committee on Environment and Public Works of the Senate and the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources of the House of Representatives a report evaluating the Good Samaritan pilot program under this Act.

“(b) INCLUSIONS.—The report under subsection (a) shall include—

“(1) a description of—

“(A) the number, types, and objectives of Good Samaritan permits granted pursuant to this Act; and

“(B) each remediation project authorized by those Good Samaritan permits;

“(2) interim or final qualitative and quantitative data on the results achieved under the Good Samaritan permits before the date of issuance of the report;

“(3) a description of—

“(A) any problems encountered in administering this Act; and

“(B) whether the problems have been or can be remedied by administrative action (including amendments to existing law);

“(4) a description of progress made in achieving the purposes of this Act; and

“(5) recommendations on whether the Good Samaritan pilot program under this Act should be continued, including a description of any modifications (including amendments to existing law) required to continue administering this Act.”

#### DEFINITIONS

For definition of “Indian Tribe” as used in this section, see section 5304 of Title 25, Indians, as made applicable by section 18701(2) of Title 42, The Public Health and Welfare.

### SUBCHAPTER V—CONTROL OF THE ENVIRONMENTAL IMPACTS OF SURFACE COAL MINING

#### § 1251. Environmental protection standards

(a) Not later than the end of the ninety-day period immediately following August 3, 1977, the Secretary shall promulgate and publish in the Federal Register regulations covering an interim regulatory procedure for surface coal mining and reclamation operations setting mining and reclamation performance standards based

on and incorporating the provisions set out in section 1252(c) of this title. The issuance of the interim regulations shall be deemed not to be a major Federal action within the meaning of section 4332(2)(c)<sup>1</sup> of title 42. Such regulations, which shall be concise and written in plain, understandable language shall not be promulgated and published by the Secretary until he has—

(A) published proposed regulations in the Federal Register and afforded interested persons and State and local governments a period of not less than thirty days after such publication to submit written comments thereon;

(B) obtained the written concurrence of the Administrator of the Environmental Protection Agency with respect to those regulations promulgated under this section which relate to air or water quality standards promulgated under the authority of the Federal Water Pollution Control Act, as amended [33 U.S.C. 1251 et seq.]; and the Clean Air Act, as amended [42 U.S.C. 7401 et seq.]; and

(C) held at least one public hearing on the proposed regulations.

The date, time, and place of any hearing held on the proposed regulations shall be set out in the publication of the proposed regulations. The Secretary shall consider all comments and relevant data presented at such hearing before final promulgation and publication of the regulations.

(b) Not later than one year after August 3, 1977, the Secretary shall promulgate and publish in the Federal Register regulations covering a permanent regulatory procedure for surface coal mining and reclamation operations performance standards based on and conforming to the provisions of this subchapter and establishing procedures and requirements for preparation, submission, and approval of State programs; and development and implementation of Federal programs under the subchapter. The Secretary shall promulgate these regulations, which shall be concise and written in plain, understandable language in accordance with the procedures in subsection (a).

(Pub. L. 95-87, title V, § 501, Aug. 3, 1977, 91 Stat. 467.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Federal Water Pollution Control Act, referred to in subsec. (a)(B), is act June 30, 1948, ch. 758, 62 Stat. 1155, as amended generally by Pub. L. 92-500, § 2, Oct. 18, 1972, 86 Stat. 816, which is classified generally to chapter 26 (§1251 et seq.) of Title 33, Navigation and Navigable Waters. For complete classification of this Act to the Code, see Short Title note set out under section 1251 of Title 33 and Tables.

The Clean Air Act, referred to in subsec. (a)(B), is act July 14, 1955, ch. 360, 69 Stat. 322, which is classified generally to chapter 85 (§7401 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 7401 of Title 42 and Tables.

#### § 1251a. Abandoned coal refuse sites

(1) Notwithstanding any other provision of the Surface Mining Control and Reclamation Act of

<sup>1</sup> So in original. Probably should be “4332(2)(C)”.