

119TH CONGRESS
1ST SESSION

S. _____

To establish within the Environmental Protection Agency the Office of
Mountains, Deserts, and Plains, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. KELLY (for himself and Ms. LUMMIS) introduced the following bill; which
was read twice and referred to the Committee on _____

A BILL

To establish within the Environmental Protection Agency
the Office of Mountains, Deserts, and Plains, 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 “Legacy Mine Cleanup
5 Act of 2025”.

6 **SEC. 2. OFFICE OF MOUNTAINS, DESERTS, AND PLAINS.**

7 (a) DEFINITIONS.—In this section:

8 (1) ADMINISTRATOR.—The term “Adminis-
9 trator” means the Administrator of the Environ-
10 mental Protection Agency.

1 (2) APPROPRIATE COMMITTEES OF CON-
2 GRESS.—The term “appropriate committees of Con-
3 gress” means—

4 (A) the Committee on Appropriations of
5 the Senate;

6 (B) the Committee on Energy and Natural
7 Resources of the Senate;

8 (C) the Committee on Environment and
9 Public Works of the Senate;

10 (D) the Committee on Health, Education,
11 Labor, and Pensions of the Senate;

12 (E) the Committee on Indian Affairs of the
13 Senate;

14 (F) the Committee on Appropriations of
15 the House of Representatives;

16 (G) the Committee on Energy and Com-
17 merce of the House of Representatives;

18 (H) the Committee on Transportation and
19 Infrastructure of the House of Representatives;

20 (I) the Committee on Natural Resources of
21 the House of Representatives; and

22 (J) the Committee on Oversight and Ac-
23 countability of the House of Representatives.

24 (3) CLEANUP ACTION.—The term “cleanup ac-
25 tion” means 1 or more actions taken to address con-

1 taminated media at a covered mine site pursuant to
2 1 or more existing authorities of the Administrator,
3 including—

4 (A) the Comprehensive Environmental Re-
5 sponse, Compensation, and Liability Act of
6 1980 (42 U.S.C. 9601 et seq.);

7 (B) the Good Samaritan Remediation of
8 Abandoned Hardrock Mines Act of 2024 (30
9 U.S.C. 1245 note; Public Law 118–155);

10 (C) the Solid Waste Disposal Act (42
11 U.S.C. 6901 et seq.);

12 (D) the Federal Water Pollution Control
13 Act (33 U.S.C. 1251 et seq.); and

14 (E) any other existing authority of the Ad-
15 ministrator.

16 (4) COVERED MINE SITE.—The term “covered
17 mine site” means Federal, State, Tribal, local, and
18 private land that has been affected by past hardrock
19 mining activities and water resources that traverse
20 or are contiguous to such land.

21 (5) INDIAN COUNTRY.—The term “Indian coun-
22 try” has the meaning given the term in section 1151
23 of title 18, United States Code.

24 (6) NAVAJO NATION ABANDONED URANIUM
25 MINE SITE.—The term “Navajo Nation abandoned

1 uranium mine site” means an abandoned uranium
2 covered mine site on land of the Navajo Nation.

3 (7) OFFICE.—The term “Office” means the Of-
4 fice of Mountains, Deserts, and Plains established by
5 subsection (b)(1).

6 (8) REGIONAL OFFICE.—The term “Regional
7 Office” means a Regional Office of the Environ-
8 mental Protection Agency.

9 (b) ESTABLISHMENT.—

10 (1) IN GENERAL.—There is established within
11 the office of the Environmental Protection Agency
12 that administers solid waste programs the Office of
13 Mountains, Deserts, and Plains.

14 (2) DIRECTOR.—The Office shall be headed by
15 a Director, to be selected by the Administrator (or
16 a designee).

17 (c) PURPOSES.—The purposes of the Office shall
18 be—

19 (1) to coordinate between the headquarters of
20 the Environmental Protection Agency, Regional Of-
21 fices, and stakeholders on cleanup actions of the En-
22 vironmental Protection Agency at a covered mine
23 site, including a covered mine site in Indian country,
24 in accordance with Federal law;

1 (2) to establish and disseminate best practices
2 for covered mine site cleanup actions, including iden-
3 tifying—

4 (A) innovative technologies and reuse ap-
5 proaches that support and make progress to-
6 ward those cleanup actions; and

7 (B) waste storage and disposal solutions;

8 (3) to coordinate among the headquarters of
9 the Environmental Protection Agency, Regional Of-
10 fices, Federal land management agencies, States, In-
11 dian Tribes, and voluntary nongovernmental organi-
12 zations, watershed groups, nonliable entities and
13 mining companies, and other entities on voluntary
14 cleanup actions at covered mine sites, where applica-
15 ble, including timely issuance of administrative guid-
16 ance for nonliable parties;

17 (4) to coordinate within the Environmental Pro-
18 tection Agency and with other Federal agencies to
19 encourage contracting opportunities for small busi-
20 nesses to participate in cleanup actions at covered
21 mine sites, consistent with applicable Federal pro-
22 curement authorities;

23 (5) to coordinate with the Secretary of the Inte-
24 rior, the Secretary of Agriculture, the Secretary of
25 Energy, the Secretary of Health and Human Serv-

1 ices, the Nuclear Regulatory Commission, and other
2 Federal agencies, as the Administrator determines to
3 be appropriate, to ensure interagency coordination of
4 covered mine site cleanup actions, with priority given
5 to coordinating cleanup actions at covered mine sites
6 for which there is no potentially responsible party;
7 and

8 (6) to coordinate other actions as the Adminis-
9 trator determines to be appropriate, pursuant to ex-
10 isting authorities of the Administrator—

11 (A) to support efforts to investigate, char-
12 acterize, or clean up a discharge, release, or
13 threat of release of a hazardous substance, pol-
14 lutant, or contaminant into the environment at
15 or from a covered mine site; or

16 (B) to establish best practices to protect
17 and improve human health and the environment
18 and implement appropriate reuse options, in-
19 cluding through the use of innovative tech-
20 nologies to recover valuable resources from cov-
21 ered mine site features or areas, as applicable.

22 (d) DUTIES.—The Administrator shall carry out
23 through the Office, at a minimum, the following duties:

24 (1) PRIORITY MINE LIST.—

1 (A) IN GENERAL.—Annually, the Adminis-
2 trator shall identify covered mine sites that are
3 prioritized for cleanup actions, which may in-
4 clude covered mine sites that are or are not in-
5 cluded on the National Priorities List developed
6 by the President in accordance with section
7 105(a)(8)(B) of the Comprehensive Environ-
8 mental Response, Compensation, and Liability
9 Act of 1980 (42 U.S.C. 9605(a)(8)(B)).

10 (B) CREATION OF LIST; REPORTS.—The
11 Administrator shall annually—

12 (i) create a list of covered mine sites
13 identified under subparagraph (A); and

14 (ii) submit to the appropriate commit-
15 tees of Congress a report describing—

16 (I) the methodology used to iden-
17 tify those covered mine sites under
18 that subparagraph; and

19 (II) the status of cleanup actions
20 carried out at covered mine sites on
21 the list.

22 (C) COORDINATION.—The Administrator
23 shall—

24 (i) regularly coordinate with Regional
25 Offices, Federal agencies, States, Indian

1 Tribes, Alaska Native Corporations, and
2 stakeholders to update the list of covered
3 mine sites identified under subparagraph
4 (A); and

5 (ii) regularly coordinate with Regional
6 Offices on cleanup actions and share best
7 practices with respect to each covered mine
8 site identified under subparagraph (A).

9 (2) PROCESS IMPROVEMENT.—

10 (A) IN GENERAL.—The Administrator
11 shall, pursuant to existing authorities of the
12 Administrator—

13 (i) identify best practices for devel-
14 oping, reviewing, and approving site as-
15 sessments, remedial investigations, and
16 feasibility studies for covered mine sites;

17 (ii) coordinate research relating to
18 technologies and cleanup approaches that
19 are the most successful in limiting the
20 acute and chronic risks posted to human
21 health and the environment by covered
22 mine sites; and

23 (iii) support—

24 (I) government-to-government
25 consultations with Indian Tribes initi-

1 ated by the Administrator or another
2 Federal agency with respect to a cov-
3 ered mine site located within Indian
4 country; and

5 (II) efforts to provide regular up-
6 dates to the Tribal governments in-
7 volved in cleanup actions for a covered
8 mine site located on Tribal land under
9 the jurisdiction of the Indian Tribe.

10 (B) TRIBAL CONSULTATION.—In sup-
11 porting consultations with Indian Tribes under
12 subparagraph (A)(iii)(I), the Administrator, in
13 addition to existing applicable law, shall—

14 (i) as appropriate, invite potentially
15 responsible parties, including Federal
16 agencies, to participate in government-to-
17 government consultations with Indian
18 Tribes;

19 (ii) as appropriate, consult with Alas-
20 ka Native Corporations in accordance with
21 section 161 of division H of the Consoli-
22 dated Appropriations Act, 2004 (25 U.S.C.
23 5301 note; Public Law 108–199); and

24 (iii) as appropriate, ensure consulta-
25 tions with Tribal allottees occur pursuant

1 to section 2 of the Act of February 5,
2 1948 (62 Stat. 18, chapter 45; 25 U.S.C.
3 324).

4 (3) INTERAGENCY PLANS FOR URANIUM CON-
5 TAMINATION ON THE NAVAJO NATION; REPORTS.—

6 (A) IN GENERAL.—Not later than Sep-
7 tember 30, 2028, and not less frequently than
8 once every 10 years thereafter, the Adminis-
9 trator, in cooperation with other relevant Fed-
10 eral agencies, including, at a minimum, the De-
11 partment of Energy, the Nuclear Energy Regu-
12 latory Commission, the Department of the Inte-
13 rior, the Indian Health Service, and the Agency
14 for Toxic Substances and Disease Registry, and
15 in consultation with affected Tribal govern-
16 ments, shall develop a 10-year interagency plan
17 for the coordination of the Federal Government
18 with States and Tribal governments to carry
19 out cleanup actions at Navajo Nation aban-
20 doned uranium mine sites, including—

21 (i) goals for the assessment of, and
22 cleanup actions at, Navajo Nation aban-
23 doned uranium mine sites;

24 (ii) target dates by which goals de-
25 scribed in clause (i) are anticipated to be

1 achieved, subject to appropriations and
2 funding from potentially responsible par-
3 ties;

4 (iii) the projected appropriations nec-
5 essary to achieve goals described in clause
6 (i) by the target dates described in clause
7 (ii); and

8 (iv) the activities to be carried out by
9 each Federal agency under the plan.

10 (B) REPORTS.—Not later than 90 days
11 after the date on which a plan is developed
12 under subparagraph (A), the Administrator
13 shall submit to the appropriate committees of
14 Congress a report describing the applicable
15 plan.

16 (4) ADMINISTRATIVE AND TECHNICAL ASSIST-
17 ANCE.—The Administrator shall, pursuant to exist-
18 ing authorities of the Administrator, provide to
19 States, units of local government, Indian Tribes, and
20 other entities technical assistance with respect to
21 cleanup actions on covered mine sites.

22 (e) SAVINGS PROVISIONS.—Nothing in this section—
23 (1) provides the Administrator with new regu-
24 latory authority not already established in law; or

1 (2) shall be interpreted as establishing a default
2 standard or authority to be used for cleanup actions
3 at covered mine sites, including the definition of
4 “cleanup action” in subsection (a).