

113th CONGRESS

1st Session

H. R. 2824

To amend the Surface Mining Control and Reclamation Act of 1977 to stop the ongoing waste by the Department of the Interior of taxpayer resources and implement the final rule on excess spoil, mining waste, and buffers for perennial and intermittent streams, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

July 25, 2013

Mr. JOHNSON of Ohio (for himself and Mr. LAMBORN) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Surface Mining Control and Reclamation Act of 1977 to stop the ongoing waste by the Department of the Interior of taxpayer resources and implement the final rule on excess spoil, mining waste, and buffers for perennial and intermittent streams, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Preventing Government Waste and Protecting Coal Mining Jobs in America'.

SEC. 2. INCORPORATION OF SURFACE MINING STREAM BUFFER ZONE RULE INTO STATE PROGRAMS.

(a) In General- Section 503 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1253) is amended by adding at the end the following:

'(e) Stream Buffer Zone Management-

'(1) IN GENERAL- In addition to the requirements under subsection (a), each State program shall incorporate the necessary rule regarding excess spoil, coal mine waste, and buffers for perennial and intermittent streams published by the Office of Surface Mining Reclamation and Enforcement on December 12, 2008 (73 Fed. Reg. 75813 et seq.).

'(2) STUDY OF IMPLEMENTATION- The Secretary shall--

'(A) at such time as the Secretary determines all States referred to in subsection (a) have fully incorporated the necessary rule referred to in paragraph (1) of this subsection into their State programs, publish notice of such determination;

'(B) during the 5-year period beginning on the date of such publication, assess the effectiveness of implementation of such rule by such States; and

'(C) upon the conclusion of such period, submit a comprehensive report on the impacts of such rule to the Committee on Natural Resources of the House of

Representatives and the Committee on Energy and Natural Resources of the Senate, including--

`(i) an evaluation of the effectiveness of such rule;

`(ii) an evaluation of any ways in which the existing rule inhibits energy production; and

`(iii) a description in detail of any proposed changes that should be made to the rule, the justification for such changes, all comments on such changes received by the Secretary from such States, and the projected costs and benefits of such changes.

`(3) LIMITATION ON NEW REGULATIONS- The Secretary may not issue any regulations under this Act relating to stream buffer zones or stream protection before the date of the publication of the report under paragraph (2), other than a rule necessary to implement paragraph (1).'

(b) Deadline for State Implementation- Not later than 2 years after the date of the enactment of this Act, a State with a State program approved under section 503 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1253) shall submit to the Secretary of the Interior amendments to such program pursuant to part 732 of title 30, Code of Federal Regulations, incorporating the necessary rule referred to in subsection (e)(1) of such section, as amended by this section.

END