

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2519

To amend title IV of the Surface Mining Control and Reclamation Act of 1977, to provide for acquisition and reclamation of land adversely affected by past coal mining practices, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 6 (legislative day, SEPTEMBER 12), 1994

Mr. FORD introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To amend title IV of the Surface Mining Control and Reclamation Act of 1977, to provide for acquisition and reclamation of land adversely affected by past coal mining practices, 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 ACQUISITION AND RECLAMATION OF LAND AD-  
4 VERSELY AFFECTED BY PAST COAL MIN-  
5 ING PRACTICES

6 SECTION 1. Section 401(c) of the Surface Mining  
7 Control and Reclamation Act of 1977 (30 U.S.C. 1231(c))  
8 is amended by inserting “or landslides caused by past coal

1 mining activities” after the phrase “land subsidence re-  
2 sulting from underground coal mining”.

3 SEC. 2. Section 407 (c) of the Surface Mining Control  
4 and Reclamation Act of 1977 (30 U.S.C. 1237(c)) is  
5 amended by—

6 (1) inserting “or dwellings” after the phrase,  
7 “may acquire any land”;

8 (2) inserting “or dwellings” after the phrase,  
9 “acquisition of such land”; and

10 (3) inserting “except paragraph 4” after the  
11 phrase, “to successful reclamation”.

12 SEC. 3. Section 407(c) of the Surface Mining Control  
13 and Reclamation Act of 1977 (30 U.S.C. 1237(c)) is  
14 amended by striking the period at the end of paragraph  
15 (3); inserting “; or”, and adding the following new para-  
16 graph at the end:

17 “(4) acquisition of any interest in the threat-  
18 ened site in lieu of performing reclamation activities,  
19 will protect the public health and safety, and will re-  
20 sult in significant cost savings to the Abandoned  
21 Mine Reclamation Fund over performing emergency  
22 reclamation activities.”.

23 SEC. 4. Section 407(h) of the Surface Mining Control  
24 and Reclamation Act of 1977 (30 U.S.C. 1237(h)) is  
25 amended by striking the sentence stating: “No part of the

1 funds provided under this title may be used to pay the  
2 actual construction costs of housing.”, and inserting in  
3 lieu thereof: “*Provided further*, The Secretary or a State  
4 with an approved program, is authorized to utilize avail-  
5 able funds to acquire comparable property, when nec-  
6 essary and when agreed to by the homeowner, and to relo-  
7 cate private residences that are threatened by past mining  
8 abuses in lieu of performing emergency reclamation activi-  
9 ties at the site if such relocation will result in significant  
10 cost savings to the program over performing emergency  
11 reclamation activities, and safeguard the public health and  
12 safety.”.

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