

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3123

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## AN ACT

To direct the Secretary of the Interior, acting through the Bureau of Reclamation, to remedy problems caused by a collapsed drainage tunnel in Leadville, Colorado, 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,*

1 **SECTION 1. LEADVILLE MINE DRAINAGE TUNNEL REMEDI-**  
2 **ATION.**

3 (a) **SHORT TITLE.**—This section may be cited as the  
4 “Leadville Mine Drainage Tunnel Remediation Act of  
5 2009”.

6 (b) **TUNNEL REMEDIATION.**—The Reclamation  
7 Projects Authorization and Adjustment Act of 1992 (Pub-  
8 lic Law 102–575) is amended as follows:

9 (1) By striking section 705.

10 (2) In section 708(a)—

11 (A) by striking “(a)” and inserting  
12 “(a)(1)”;

13 (B) by striking “The Secretary shall have”  
14 and inserting “Except as provided by paragraph  
15 (2), the Secretary shall have”; and

16 (C) by adding at the end the following:

17 “(2) The Secretary shall participate in the implemen-  
18 tation of the operable unit 6 remedy for the California  
19 Gulch Superfund Site, including, but not limited to, the  
20 following actions:

21 “(A) Treating water behind any blockage or  
22 bulkhead in the Leadville Mine Drainage Tunnel, in-  
23 cluding surface water diverted into the Tunnel  
24 workings as part of the remedy.

25 “(B) Managing and maintaining the mine pool  
26 behind such blockage or bulkhead at a level that pre-

1 includes surface runoff and releases and minimizes the  
2 potential for tunnel failure due to excessive water  
3 pressure in the tunnel.”.

4 (3) In section 708(f), by striking “and 708”  
5 and inserting “, 708, and 709”.

6 (4) By adding at the end of title VII the fol-  
7 lowing:

8 **“SEC. 709. TUNNEL MAINTENANCE.**

9 “The Secretary shall take such steps to repair or  
10 maintain the structural integrity of the Leadville Mine  
11 Drainage Tunnel (LMDT) as may be necessary in order  
12 to prevent tunnel failure and to preclude uncontrolled re-  
13 lease of water from any portion of the tunnel.”.

14 (5) In the table of sections contained in section  
15 2—

16 (A) by striking the item relating to section  
17 705; and

18 (B) by inserting after the item relating to  
19 section 708 the following new item:

“Sec. 709. Tunnel maintenance.”.

Passed the House of Representatives September 29,  
2009.

Attest:

*Clerk.*

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