

S 2781

Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2024

Congress: 118 (2023–2025, Ended)

Chamber: Senate

Policy Area: Environmental Protection

Introduced: Sep 13, 2023

Current Status: Became Public Law No: 118-155.

Latest Action: Became Public Law No: 118-155. (Dec 17, 2024)

Law: 118-155 (Enacted Dec 17, 2024)

Official Text: <https://www.congress.gov/bill/118th-congress/senate-bill/2781>

Sponsor

Name: Sen. Heinrich, Martin [D-NM]

Party: Democratic • **State:** NM • **Chamber:** Senate

Cosponsors (40 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Barrasso, John [R-WY]	R · WY		Sep 13, 2023
Sen. Bennet, Michael F. [D-CO]	D · CO		Sep 13, 2023
Sen. Boozman, John [R-AR]	R · AR		Sep 13, 2023
Sen. Cortez Masto, Catherine [D-NV]	D · NV		Sep 13, 2023
Sen. Cramer, Kevin [R-ND]	R · ND		Sep 13, 2023
Sen. Crapo, Mike [R-ID]	R · ID		Sep 13, 2023
Sen. Daines, Steve [R-MT]	R · MT		Sep 13, 2023
Sen. Hickenlooper, John W. [D-CO]	D · CO		Sep 13, 2023
Sen. Kelly, Mark [D-AZ]	D · AZ		Sep 13, 2023
Sen. Lujan, Ben Ray [D-NM]	D · NM		Sep 13, 2023
Sen. Lummis, Cynthia M. [R-WY]	R · WY		Sep 13, 2023
Sen. Risch, James E. [R-ID]	R · ID		Sep 13, 2023
Sen. Rosen, Jacky [D-NV]	D · NV		Sep 13, 2023
Sen. Sinema, Kyrsten [I-AZ]	I · AZ		Sep 13, 2023
Sen. Sullivan, Dan [R-AK]	R · AK		Sep 13, 2023
Sen. Tester, Jon [D-MT]	D · MT		Sep 13, 2023
Sen. Thune, John [R-SD]	R · SD		Sep 13, 2023
Sen. Wyden, Ron [D-OR]	D · OR		Sep 13, 2023
Sen. Murkowski, Lisa [R-AK]	R · AK		Sep 26, 2023
Sen. Braun, Mike [R-IN]	R · IN		Oct 3, 2023
Sen. Merkley, Jeff [D-OR]	D · OR		Oct 3, 2023
Sen. Romney, Mitt [R-UT]	R · UT		Oct 18, 2023
Sen. Stabenow, Debbie [D-MI]	D · MI		Oct 18, 2023
Sen. Ernst, Joni [R-IA]	R · IA		Oct 19, 2023
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Oct 19, 2023
Sen. Hoeven, John [R-ND]	R · ND		Jan 17, 2024
Sen. Padilla, Alex [D-CA]	D · CA		Jan 17, 2024
Sen. Rounds, Mike [R-SD]	R · SD		Jan 31, 2024
Sen. Smith, Tina [D-MN]	D · MN		Jan 31, 2024
Sen. Mullin, Markwayne [R-OK]	R · OK		Feb 8, 2024
Sen. Welch, Peter [D-VT]	D · VT		Feb 8, 2024
Sen. Capito, Shelley Moore [R-WV]	R · WV		Mar 7, 2024
Sen. Schatz, Brian [D-HI]	D · HI		Mar 7, 2024
Sen. Butler, Laphonza R. [D-CA]	D · CA		Mar 22, 2024
Sen. Lee, Mike [R-UT]	R · UT		Mar 22, 2024
Sen. Budd, Ted [R-NC]	R · NC		May 15, 2024
Sen. Manchin, Joe, III [D-WV]	D · WV		May 15, 2024
Sen. Shaheen, Jeanne [D-NH]	D · NH		Jul 8, 2024
Sen. Tillis, Thomas [R-NC]	R · NC		Jul 8, 2024
Sen. Cotton, Tom [R-AR]	R · AR		Jul 11, 2024

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Reported By	Jan 25, 2024

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

No related bills are listed.

Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2024

This act promotes the remediation of abandoned hardrock mine sites by Good Samaritans. A Good Samaritan is a person that (1) is not a past or current owner or operator of the abandoned site; (2) had no role in the creation of waste, such as acid mine drainage, at the site; and (3) is not potentially liable under any law for the remediation, treatment, or control of the mine waste.

(Sec. 4) The act requires the Environmental Protection Agency (EPA) to establish a Good Samaritan pilot program. Under the program, the EPA may issue up to 15 permits to allow Good Samaritans to remediate mine waste at abandoned hardrock mine sites to protect human health and the environment without being subject to enforcement or liability under specified environmental laws for past, present, or future releases, threats of releases, or discharges of hazardous substances or other contaminants at or from the abandoned mine site. The act applies to liability under the Clean Water Act and the Comprehensive Environmental Response, Compensation, and Liability Act (CERLA).

The EPA may only grant permits for projects that meet certain requirements, including a demonstration that (1) the project poses a low risk to the environment; and (2) the Good Samaritan possesses, or has the ability to secure, the financial and other resources necessary to complete the permitted work and address any contingencies.

The act terminates the program after seven years. However, the EPA may grant a permit after the program terminates if the application for the permit is (1) submitted at least 180 days before the termination date, and (2) completed before the program terminates.

A Good Samaritan must make reasonable and diligent efforts to identify all responsible owners or operators of an abandoned hardrock mine site proposed to be remediated by the Good Samaritan. If the EPA determines that a responsible owner or operator exists for such site, then the EPA must deny the application for a Good Samaritan permit.

The EPA may grant investigative sampling permits that authorize a Good Samaritan to determine (1) the concentrations, locations, and releases of any hazardous substances, pollutants, or contaminants at an abandoned hardrock mine site; and (2) whether the Good Samaritan is willing to perform further remediation and will proceed under a Good Samaritan permit. The act establishes a process to convert investigative sampling permits into Good Samaritan permits.

A Good Samaritan permit may include a provision that a Good Samaritan may assert a claim of force majeure for any violation of the permit caused solely by (1) an act of God, (2) an act of war, (3) negligence on the part of the United States, (4) an act or omission of a third party under certain circumstances, or (5) a public health emergency.

A Good Samaritan permit may be transferred only if the EPA determines that the transferee qualifies as a Good Samaritan and other conditions are met.

Additionally, the act establishes requirements for the EPA to notify state, local, and tribal governments of applications for the remediation of abandoned hardrock mine sites. A Good Samaritan must notify all appropriate federal, state, tribal, and local entities of any unplanned or previously unknown release of mine waste caused by the actions of the Good Samaritan or any cooperating person in accordance with applicable laws.

Good Samaritans must take actions required under their permits to ensure appropriate baseline conditions, monitoring during the remediation project, and post-remediation monitoring of the environment.

Good Samaritans may reprocess materials recovered while remediating the site if (1) the project is on land owned by the United States, (2) the applicable federal land management agency approves, (3) the proceeds from the sale or use of the materials are used to defray remediation costs or to reimburse such agencies to the extent required by the permit, and (4) any remaining proceeds are deposited into the appropriate Good Samaritan Mine Remediation Fund.

The act also outlines requirements for reviewing Good Samaritan permits under the National Environmental Policy Act of 1969.

The act makes projects conducted under such permits eligible for funding under certain grant programs for state implementation plans under the Clean Water Act and brownfield revitalization funding under CERCLA.

(Sec. 5) In addition, the act establishes Good Samaritan Mine Remediation Funds for land management agencies that authorize Good Samaritans to conduct remediation projects on federal land.

(Sec. 6) Within eight years, the EPA must evaluate and report on the Good Samaritan pilot program.

Actions Timeline

- **Dec 17, 2024:** Signed by President.
- **Dec 17, 2024:** Became Public Law No: 118-155.
- **Dec 12, 2024:** Presented to President.
- **Dec 10, 2024:** Ms. Maloy moved to suspend the rules and pass the bill.
- **Dec 10, 2024:** Considered under suspension of the rules. (consideration: CR H6570-6578)
- **Dec 10, 2024:** DEBATE - The House proceeded with forty minutes of debate on S. 2781.
- **Dec 10, 2024:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H6570-6576)
- **Dec 10, 2024:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H6570-6576)
- **Dec 10, 2024:** Motion to reconsider laid on the table Agreed to without objection.
- **Aug 6, 2024:** Received in the House.
- **Aug 6, 2024:** Held at the desk.
- **Aug 2, 2024:** Message on Senate action sent to the House.
- **Jul 31, 2024:** Measure laid before Senate by unanimous consent. (consideration: CR S5665; text of amendment in the nature of a substitute: CR S5665-5670)
- **Jul 31, 2024:** The committee substitute as amended agreed to by Unanimous Consent.
- **Jul 31, 2024:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent. (text: CR S5670-5676)
- **Jul 31, 2024:** Passed Senate with an amendment by Unanimous Consent. (text: CR S5670-5676)
- **Jan 25, 2024:** Committee on Environment and Public Works. Reported by Senator Carper with an amendment in the nature of a substitute. Without written report.
- **Jan 25, 2024:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 312.
- **Sep 13, 2023:** Introduced in Senate
- **Sep 13, 2023:** Read twice and referred to the Committee on Environment and Public Works.