



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

September 28, 2006

S. 1848

Cleanup of Inactive and Abandoned Mines Act

*As ordered reported by the Senate Committee on Environment and Public Works
on September 13, 2006*

S. 1848 would authorize the Environmental Protection Agency (EPA) to issue permits for the cleanup of pollution at inactive and abandoned mine sites throughout the United States. These permits could be issued only to people, companies, or agencies with no legal responsibility for cleaning up the site. The bill refers to such site cleanup activities as “Good Samaritan remediation.” Once granted a permit, the permit holder would not be liable for any pollution resulting from the remediation efforts at the mine sites under various environmental laws, such as the Clean Water Act or the Comprehensive Environmental Response, Compensation, and Liability Act. This legislation also would enable state and tribal environmental programs to issue this type of permit to private parties if those governments have an EPA-approved permit process in place.

Under S. 1848, EPA would establish regulations for the permit process, review permit requests, and determine eligibility for permits. Based on information from EPA, CBO expects that current resources for other EPA permit activities would be used for this new process and that because states would provide many of the permits, minimal oversight would be required by EPA. CBO estimates that implementing this bill would cost less than \$1 million annually over the next five years, subject to the availability of appropriated funds.

Enacting S. 1848 could increase revenues because the bill would provide for civil penalties for any person who violates the conditions of a permit. CBO expects that any fines collected under this bill would not be significant.

S. 1848 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. Participation by any state, local, or tribal government in the permitting process authorized by this bill would be voluntary, as would any costs such governments might incur.

The CBO staff contact for this estimate is Susanne S. Mehlman. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.