

MOTION TO RECOMMIT

M____. _____ moves to recommit the bill H.R. 2273 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following section:

1 **SEC. 4. LIFE SAVING WARNING SYSTEM FOR CATA-**
2 **STROPHIC IMPOUNDMENT FAILURE.**

3 (a) IN GENERAL.—Notwithstanding any other provi-
4 sion of this Act (including the amendments made by this
5 Act), the Administrator of the Environmental Protection
6 Agency shall require any person who owns or operates a
7 surface impoundment described in subsection (b) to equip
8 such surface impoundment with a sufficient system to
9 monitor for, and notify persons of, a potentially hazardous
10 condition that could lead to failure of the surface im-
11 poundment. In the event a potentially hazardous condition
12 develops that could lead to such a failure, the person own-
13 ing or operating such surface impoundment shall imme-
14 diately—

15 (1) take action to eliminate the potentially haz-
16 ardous condition;

1 (2) notify State and local first responders; and

2 (3) notify, prepare to evacuate, and evacuate, if
3 necessary, local residents, personnel from the owner
4 or operator's property, and any other persons who
5 may be affected by the hazardous condition.

6 (b) SURFACE IMPOUNDMENTS DESCRIBED.—A sur-
7 face impoundment described in this subsection is a surface
8 impoundment—

9 (1) that is subject to a coal combustion residu-
10 als permit program (as such term is defined in sec-
11 tion 4011 of the Solid Waste Disposal Act, as added
12 by this Act); and

13 (2) the failure or misoperation of which will
14 probably cause loss of human life.

