

First Regular Session
Seventy-second General Assembly
STATE OF COLORADO

DRAFT
9.5.18

BILL 4

LLS NO. 19-0136.01 Thomas Morris x4218

INTERIM COMMITTEE BILL

Water Resources Review Committee

BILL TOPIC: "Reciprocity Dispose Out-of-state Radioactive Waste"

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT THE DISPOSAL IN COLORADO OF**
102 **RADIOACTIVE WASTE ORIGINATING FROM ANOTHER STATE**
103 **OCCUR ONLY IF THE OTHER STATE ALLOWS THE DISPOSAL IN**
104 **THAT STATE OF RADIOACTIVE WASTE ORIGINATING IN**
105 **COLORADO.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Water Resources Review Committee. Current law strictly limits the disposal in Colorado of radioactive waste that originates or has been

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

used outside of Colorado, but only if the waste is disposed of at a uranium or thorium facility (facility). The bill requires that the disposal in Colorado, other than at a facility, of radioactive waste originating from or used in another state occur only if the other state has in that state an approved disposal site that accepts for disposal radioactive waste originating in Colorado and the department of public health and environment approves the disposal.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 25-11-202 as
3 follows:

4 **25-11-202. Disposal of foreign radioactive waste prohibited.**

5 (1) The disposal of ~~any~~ radioactive waste ~~which~~ THAT originates or has
6 been used outside ~~this state~~ COLORADO and has not been used in ~~this state~~
7 COLORADO is prohibited:

8 (a) Except as provided in section 25-11-203 FOR DISPOSAL AT A
9 FACILITY; OR

10 (b) (I) IF THE RADIOACTIVE WASTE IS NOT DISPOSED OF AT A
11 FACILITY, UNLESS THE STATE WITHIN WHICH THE RADIOACTIVE WASTE
12 ORIGINATED OR WAS USED HAS IN THAT STATE AN APPROVED DISPOSAL
13 FACILITY THAT ACCEPTS FOR DISPOSAL RADIOACTIVE WASTE ORIGINATING
14 IN COLORADO; AND

15 (II) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
16 APPROVES OF THE DISPOSAL PURSUANT TO SECTION 25-11-107 (1)(b).

17 **SECTION 2. Act subject to petition - effective date -**
18 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
19 the expiration of the ninety-day period after final adjournment of the
20 general assembly (August 2, 2019, if adjournment sine die is on May 3,
21 2019); except that, if a referendum petition is filed pursuant to section 1
22 (3) of article V of the state constitution against this act or an item, section,

1 or part of this act within such period, then the act, item, section, or part
2 will not take effect unless approved by the people at the general election
3 to be held in November 2020 and, in such case, will take effect on the
4 date of the official declaration of the vote thereon by the governor.

5 (2) This act applies to the importation of radioactive waste for
6 disposal occurring on or after the applicable effective date of this act.

