

CHAPTER 140

HEALTH

SENATE BILL 93-126

BY SENATOR Johnson;
also REPRESENTATIVES Fleming and Nichol.

AN ACT

CONCERNING REGULATION OF NATURALLY OCCURRING RADIOACTIVE MATERIAL.

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

SECTION 1. 25-11-101, Colorado Revised Statutes, 1989 Repl. Vol., is amended BY THE ADDITION OF A NEW SUBSECTION to read:

25-11-101. Definitions. As used in this part 1, unless the context otherwise requires:

(2.5) "NATURALLY OCCURRING RADIOACTIVE MATERIAL" MEANS ANY NUCLIDE THAT IS RADIOACTIVE IN ITS NATURAL PHYSICAL STATE AND IS NOT MANUFACTURED. "NATURALLY OCCURRING RADIOACTIVE MATERIAL" DOES NOT INCLUDE SOURCE MATERIAL, SPECIAL NUCLEAR MATERIAL, OR BY-PRODUCTS OF FOSSIL FUEL COMBUSTION, INCLUDING BUT NOT LIMITED TO BOTTOM ASH, FLY ASH, AND FLUE-GAS EMISSION BY-PRODUCTS.

SECTION 2. 25-11-104 (1), Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

25-11-104. Rules and regulations to be adopted - fees - fund created.
(1) (a) The state board of health shall formulate, adopt, and promulgate rules and regulations as provided in subsection (2) of this section which shall cover subject matter relative to radioactive materials, INCLUDING BUT NOT LIMITED TO NATURALLY OCCURRING RADIOACTIVE MATERIALS, and other sources of ionizing radiation. ~~which~~ THE SUBJECT MATTER OF SUCH RULES AND REGULATIONS shall include, but not be limited to: Licenses and registration, records, permissible levels of exposure,

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

notification and reports of accidents, technical qualifications of personnel, handling, transportation and storage, waste disposal, posting and labeling of hazardous sources and areas, surveys, and monitoring.

(b) THE STATE BOARD OF HEALTH SHALL ADOPT REGULATIONS CONCERNING NATURALLY OCCURRING RADIOACTIVE MATERIALS PRIOR TO JANUARY 1, 1994.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 26, 1993