

116TH CONGRESS
1ST SESSION

S. 2526

To require the Secretary of Energy to identify and convey to the State of Colorado land for use as a storage site for residual radioactive material, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19, 2019

Mr. BENNET (for himself and Mr. GARDNER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To require the Secretary of Energy to identify and convey to the State of Colorado land for use as a storage site for residual radioactive material, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DURANGO DISPOSAL SITE.**

4 (a) IDENTIFICATION.—

5 (1) IN GENERAL.—Not later than 6 months
6 after the date of enactment of this Act, the Sec-
7 retary shall—

8 (A) identify, in accordance with paragraph
9 (2), a portion of Federal land within the Du-

1 rango disposal site that is suitable for convey-
2 ance to the State for use as a storage site for
3 residual radioactive materials as part of remedi-
4 ation activities carried out by the State relating
5 to properties in the vicinity of the Durango
6 processing site; and

7 (B) offer to convey such land to the State
8 for such purpose.

9 (2) REQUIREMENTS.—In carrying out para-
10 graph (1)(A), the Secretary shall ensure that the
11 identified land—

12 (A) consists of approximately 0.25 acres;

13 (B) is located in the southwestern corner
14 of the Durango disposal site; and

15 (C) is south of, and bounded by, County
16 Road 212.

17 (b) CONVEYANCE.—Subject to the terms and condi-
18 tions described in subsection (c), if, not later than 1 year
19 after the date on which the Secretary offers under sub-
20 section (a) to convey land identified under such subsection
21 to the State, the State accepts such offer, the Secretary
22 shall convey all right, title, and interest of the United
23 States in and to such land to the State, without consider-
24 ation.

1 (c) TERMS AND CONDITIONS.—As a condition of the
2 conveyance under subsection (b), the Secretary—

3 (1) shall impose a requirement that the State
4 manage the conveyed land in a manner that is con-
5 sistent with the requirements of the Uranium Mill
6 Tailings Radiation Control Act of 1978 (42 U.S.C.
7 7901 et seq.) relating to the Durango disposal site,
8 including after the use described in subsection (a)
9 has ceased; and

10 (2) may impose such additional requirements as
11 the Secretary determines necessary to protect the in-
12 terests of the United States.

13 (d) BOUNDARY REVISION.—The Secretary shall re-
14 vise the legal description of the Durango disposal site in-
15 cluded in the Long-Term Surveillance Plan for such site
16 pursuant to section 40.27 of title 10, Code of Federal Reg-
17 ulations (as in effect on the date of enactment of this Act),
18 to reflect the conveyance under subsection (b) and shall
19 notify the Nuclear Regulatory Commission (referred to in
20 this subsection as the “Commission”) of such revision, and
21 the Commission shall accept such revised Long-Term Sur-
22 veillance Plan for purposes of the general license issued
23 for such site by the Commission.

24 (e) EFFECT ON EXISTING REQUIREMENTS.—The
25 Secretary shall carry out this section in a manner that

1 is consistent with the requirements of the Uranium Mill
2 Tailings Radiation Control Act of 1978 (42 U.S.C. 7901
3 et seq.) relating to the Durango disposal site.

4 (f) NOTICE.—A notice described under the heading
5 “Sale of Land” in the report of the Committee on Appro-
6 priations of the House of Representatives accompanying
7 H.R. 2311 of the 107th Congress (H. Rept. 107–112),
8 is not required for the conveyance under subsection (b).

9 (g) DEFINITIONS.—In this section:

10 (1) DURANGO DISPOSAL SITE.—The term “Du-
11 rango disposal site” means the site in Durango, Col-
12 orado, for the permanent disposition and stabiliza-
13 tion of residual radioactive materials pursuant to the
14 Uranium Mill Tailings Radiation Control Act of
15 1978 (42 U.S.C. 7901 et seq.).

16 (2) DURANGO PROCESSING SITE.—The term
17 “Durango processing site” means the processing site
18 in Durango, Colorado, designated under section
19 102(a)(1) of the Uranium Mill Tailings Radiation
20 Control Act of 1978 (42 U.S.C. 7912(a)(1)).

21 (3) RESIDUAL RADIOACTIVE MATERIAL.—The
22 term “residual radioactive material” has the mean-
23 ing given that term in section 101 of the Uranium
24 Mill Tailings Radiation Control Act of 1978 (42
25 U.S.C. 7911).

1 (4) SECRETARY.—The term “Secretary” means
2 the Secretary of Energy.

3 (5) STATE.—The term “State” means the State
4 of Colorado.

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