

116TH CONGRESS  
1ST SESSION

# H. R. 4427

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.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2019

Mr. TIPTON (for himself and Ms. DEGETTE) introduced the following bill;  
which was referred to the Committee on Energy and Commerce

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## 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 of Energy 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 of Colorado for use as a stor-  
3           age site for residual radioactive materials as  
4           part of remediation activities carried out by  
5           such State relating to properties in the vicinity  
6           of the Durango processing site; and

7                   (B) offer to convey such land to the State  
8           of Colorado 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 .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 of Colorado, the State accepts such offer, the  
22          Secretary shall convey all right, title, and interest of the  
23          United States in and to such land to the State, without  
24          consideration.

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 of  
4 Colorado manage the conveyed land in a manner  
5 that is consistent with the requirements of the Ura-  
6 nium Mill Tailings Radiation Control Act of 1978  
7 relating to the Durango disposal site, including after  
8 the use described in subsection (a) has ceased; and

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

12 (d) BOUNDARY REVISION.—The Secretary shall re-  
13 vise the legal description of the Durango disposal site in-  
14 cluded in the Long-Term Surveillance Plan for such site  
15 pursuant to section 40.27 of title 10, Code of Federal Reg-  
16 ulations, to reflect the conveyance under subsection (b)  
17 and shall notify the Nuclear Regulatory Commission of  
18 such revision, and the Commission shall accept such re-  
19 vised Long-Term Surveillance Plan for purposes of the  
20 general license issued for such site by the Commission.

21 (e) EFFECT ON EXISTING REQUIREMENTS.—The  
22 Secretary shall carry out this section in a manner that  
23 is consistent with the requirements of the Uranium Mill  
24 Tailings Radiation Control Act of 1978 relating to the Du-  
25 rango disposal site.

1 (f) NOTICE.—A notice described under the heading  
2 “Sale of Land” in the report accompanying the Energy  
3 and Water Development Appropriations Act, 2002, is not  
4 required for the conveyance under subsection (b).

5 (g) DEFINITIONS.—In this section:

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

12 (2) DURANGO PROCESSING SITE.—The term  
13 “Durango processing site” means the processing site  
14 in Durango, Colorado, designated under section  
15 102(a)(1) of the Uranium Mill Tailings Radiation  
16 Control Act of 1978 (42 U.S.C. 7912(a)(1)).

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

22 (4) SECRETARY.—The term “Secretary” means  
23 the Secretary of Energy.

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