

HB1127\_L.001

## HOUSE COMMITTEE OF REFERENCE REPORT

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 Chairman of Committee

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 Date
Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

HB10-1127 be amended as follows:

- 1 Amend printed bill, page 2, line 18, after "(9)" insert "(a) (I)".
- 2 Page 2, strike lines 25 and 26.
- 3 Strike pages 3 through 6.
- 4 Page 7, strike lines 1 through 6 and substitute:
- 5 "LIMITED TO, AT LEAST ONE PROMINENT AND CLEARLY LEGIBLE SIGN AT
- 6 EACH FOOT OR VEHICULAR ACCESS POINT TO THE REFUGE, BEARING THE
- 7 FOLLOWING NOTICE:

8 **PUBLIC ADVISORY**

9 THE STATE OF COLORADO WISHES TO PROVIDE YOU WITH  
 10 INFORMATION CONCERNING THE HISTORY OF THE ROCKY  
 11 FLATS NATIONAL WILDLIFE REFUGE, FORMERLY ROCKY  
 12 FLATS NUCLEAR WEAPONS PLANT, THE RADIOACTIVE AND  
 13 OTHER HAZARDOUS MATERIALS THAT WERE USED AND  
 14 RELEASED AT THE SITE WHEN IT WAS IN OPERATION, AND  
 15 THE CLEANUP THAT HAS OCCURRED. SOME  
 16 CONTAMINATION MAY REMAIN IN THE SOIL AND  
 17 GROUNDWATER.

18 **INFORMED CONSENT REQUIRED FOR ENTRY --**  
 19 **PLEASE READ THIS COMPLETELY.**



1 THE STATE OF COLORADO HAS DETERMINED THAT  
2 MEMBERS OF THE PUBLIC SHOULD BE INFORMED OF THE  
3 FOLLOWING FACTS WHEN DECIDING WHETHER TO ENTER  
4 ROCKY FLATS NATIONAL WILDLIFE REFUGE:

5 ROCKY FLATS NATIONAL WILDLIFE REFUGE WAS A  
6 NUCLEAR WEAPONS MANUFACTURING PLANT FROM  
7 1950-1991. OVER THE DECADES FROM 1951-1989, SOME  
8 RADIOACTIVE MATERIALS, INCLUDING PLUTONIUM AND  
9 OTHER HAZARDOUS MATERIALS, WERE SPILLED, BURIED,  
10 BURNED, AND SPRAYED ON THE SITE, RESULTING IN THE  
11 RELEASE OF THESE MATERIALS INTO THE AIR, SOIL, AND  
12 WATER. SOME OF THESE ACTIONS WERE LEGAL, OTHERS  
13 WERE ILLEGAL.

14 SINCE 1992, THE UNITED STATES DEPARTMENT OF  
15 ENERGY (DOE) HAS UNDERTAKEN CLEANUP OF THE SITE.  
16 THE DOE, THE UNITED STATES ENVIRONMENTAL  
17 PROTECTION AGENCY (EPA), AND THE STATE OF  
18 COLORADO ACKNOWLEDGE THAT, AFTER THE CLEANUP IS  
19 COMPLETE, DETECTABLE, ALTHOUGH LOW, LEVELS OF  
20 PLUTONIUM AND OTHER RADIOACTIVE AND HAZARDOUS  
21 MATERIALS WILL REMAIN IN THE SURFACE AND SUBSURFACE  
22 SOILS AND IN THE GROUNDWATER, AND MAY BE PRESENT IN  
23 DUST THAT BECOMES AIRBORNE AT THE SITE.

24 FOR THESE REASONS, PERSONS ACCESSING ROCKY  
25 FLATS NATIONAL WILDLIFE REFUGE MAY BECOME EXPOSED  
26 TO RADIOACTIVE AND OTHER HAZARDOUS MATERIALS  
27 THROUGH DUST IN THE AIR OR THROUGH CONTACT WITH THE  
28 SOILS. THE RADIOACTIVE AND HAZARDOUS MATERIALS ARE  
29 INVISIBLE TO THE NAKED EYE. PLUTONIUM REMAINS  
30 RADIOACTIVE FOR TENS OF THOUSANDS OF YEARS, AND IT  
31 CAN BE HARMFUL IN VERY SMALL AMOUNTS IF INHALED,  
32 INGESTED, OR OTHERWISE TAKEN INTO THE BODY, SUCH AS  
33 THROUGH AN OPEN WOUND. THERE IS CONTROVERSY  
34 WITHIN THE SCIENTIFIC COMMUNITY CONCERNING  
35 ACCEPTABLE LEVELS OF RISK FROM SUCH EXPOSURE AND  
36 THE METHODS OF CALCULATING THAT RISK.



1 ACCORDING TO NATIONAL AND INTERNATIONAL  
2 STANDARD-SETTING BODIES, HUMAN EXPOSURE TO LOW  
3 LEVELS OF IONIZING RADIATION FROM PLUTONIUM CAN  
4 RESULT IN CANCER AND GENETIC DEFECTS. CHILDREN AND  
5 THE ALREADY INFIRM MAY BE THE MOST AT RISK FROM  
6 EXPOSURE.

7 THE EPA AND THE STATE OF COLORADO, USING  
8 MATHEMATICAL MODELING AND MONITORING SYSTEMS  
9 CURRENTLY IN PLACE ON SITE, HAVE DETERMINED THAT  
10 CLEANUP OF WHAT IS NOW THE ROCKY FLATS NATIONAL  
11 WILDLIFE REFUGE HAS MADE THE REFUGE SAFE FOR  
12 VISITORS AND WILDLIFE REFUGE WORKERS. THESE  
13 AGENCIES ALSO HAVE DETERMINED THAT THE CLEANUP  
14 COMPLIES WITH THE WRITTEN AGREEMENT BETWEEN THE  
15 EPA, THE DOE, AND THE STATE.

16 IN LIGHT OF THE SCIENTIFIC UNCERTAINTIES AND THE  
17 CONTROVERSIES ABOUT RISK, MEMBERS OF THE PUBLIC  
18 CONSIDERING A VISIT TO ROCKY FLATS NATIONAL  
19 WILDLIFE REFUGE SHOULD DECIDE FOR THEMSELVES  
20 WHETHER THE RISKS ARE ACCEPTABLE TO THEM AND THEIR  
21 FAMILIES.

22 (II) THE DESIGN AND CONSTRUCTION OF THE SIGNS REFERRED TO  
23 IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) SHALL BE DEVELOPED IN  
24 COLLABORATION WITH, AND SHALL BE SUBJECT TO THE APPROVAL OF, THE  
25 EXECUTIVE DIRECTORS OF THE COLORADO DEPARTMENT OF  
26 TRANSPORTATION AND THE COLORADO DEPARTMENT OF PUBLIC HEALTH  
27 AND ENVIRONMENT OR THEIR APPROPRIATE DESIGNEES.

28 (b) THE DEPARTMENT SHALL USE ALL REASONABLE EFFORTS TO  
29 ENSURE THAT DETAILED INFORMATION REGARDING THE HISTORY OF THE  
30 SITE AND LEVEL OF CLEANUP AND UPDATED RESULTS OF MONITORING ARE  
31 AVAILABLE TO THE PUBLIC UPON REQUEST, THROUGH A SPECIFIED WEB  
32 SITE, AND INCLUDED IN MATERIALS EXHIBITED AT ANY COLD WAR MUSEUM  
33 OR ROCKY FLATS MUSEUM OR VISITOR CENTER THAT MAY BE  
34 CONSTRUCTED.

35 (c) NO PERSON UNDER EIGHTEEN YEARS OF AGE MAY ENTER THE  
36 ROCKY FLATS NATIONAL WILDLIFE REFUGE WITHOUT THE WRITTEN,

1 INFORMED CONSENT OF HIS OR HER PARENT OR LEGAL GUARDIAN."

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