

2021

Regulatory Agenda

January 1, 2021 – December 31, 2021



COLORADO
Department of Public
Health & Environment

Overview

Pursuant to Colorado Revised Statute §2-7-203(4), the Colorado Department of Public Health and Environment submits the following 2021 Regulatory Agenda. Pursuant to statutory requirements concerning the Department’s Regulatory Agenda (§2-7-202(6), C.R.S.), this also contains the department’s 2020 Regulatory Agenda Summary and the 2020 Results of Mandatory Review of Rules (Pursuant to §24-4-103.3(4), C.R.S.).

2021 Regulatory Agenda

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
January 21 & 22, 2021	5 CCR 1001-10, Control of Hazardous Air Pollutants	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	X	To consider revisions to the asbestos regulations	Industry & trade groups, local governments, environmental & citizen groups, concerned public members
January 26, 2021	5 CCR 1003-2, Water and Wastewater Facility Operator Certification Requirements	Water Quality Control Division/Water and Wastewater Facility Operators Certification Board	Revision	§25-9-101 through §25-9-110, C.R.S.		To consider revisions for applicants applying by reciprocity	Water and wastewater operators, applicants from other states, water and wastewater utilities

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
February 16, 2021	6 CCR 1007-3, Part 267, Subpart H, Standards for the Management of Specific Hazardous Wastes	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	New Rule	§24-33.5-1234, C.R.S.		Establish rules for registration and certificate of facilities using or storing Aqueous Film Forming Foam (AFFF) containing Per- and Poly-flouroalkyl substances (PFAS)	Fire Departments, aviation facilities and other entities that use or store Aqueous Film Forming Foam (AFFF) containing Per- and Poly-flouroalkyl substances (PFAS)
February 17, 2021	5 CCR 1005-5 Hemp Testing Laboratory Certification	Division of Disease Control and Public Health Response/ Board of Health	New Rule	§35-61-105.5(2)(d) and §25-1.5-101(1)(f), C.R.S.		Establish criteria in rule for the certification of laboratories to test industrial hemp and hemp-derived products	Cannabis testing laboratories, industrial hemp cultivators, hemp-derived product manufacturers, Colorado Department of Agriculture, CDPHE- Division of Environmental Health and Sustainability, Colorado Hemp Advancement and Management Plan (CHAMP) participants

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/ Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
February 17, 2021	6 CCR 1010-21, Colorado Wholesale Food and Shellfish Regulations	Division of Environmental Health and Sustainability/ Board of Health	Revision	§25-5-418 and §25-5-426, C.R.S.		Rulemaking as needed to support the implementation of SB19-240, SB19-220, and SB19-224	Industrial hemp operators that need to register as a Wholesale Food operator, Department of Agriculture, Department of Revenue
March 17, 2021	5 CCR 1005-4 Newborn Screening and Second Newborn Screening	Division of Disease Control and Public Health Response/ Board of Health	Revision	§25-4-1004(1)(c)(I-IV) and §25-4-1004.5(3), C.R.S.		Addition of 3 conditions to the Colorado New Born Screening panel	Parents and newborns, hospital laboratories, nurseries, NICUs, and pediatricians, pediatric offices, Inherited Metabolic Disorder Specialists, Endocrine Specialists, Immunology Specialists, Hemoglobinopathy Specialists, Neuromuscular Specialists, Colorado branch of National Organization of Rare Disorders

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
April 21, 2021	6 CCR 1011-1 Chapter 2: General Licensure Standards	Health Facilities and Emergency Medical Services Division/Board of Health	Revision	§25-3-121(2), §24-34-113 and §10-16-704, C.R.S.		Conforming amendments associated with Chapter 3 BHE and Chapters 9 and 13 Community Clinics and Free Standing Emergency Departments	Health Facilities, licensees, families, patients and consumers, providers, and professional associations that represent licensed facilities
April 21, 2021	6 CCR 1011-1 Chapter 3: Behavioral Health Entities	Health Facilities and Emergency Medical Services Division/Board of Health	New Rule	§25-27.6-105, C.R.S.		Develop Phase 1 rules for the new license for behavioral health entities	Current and future licensees, families, clients and consumers, providers, organizations that represent licensed facilities, practitioners and consumers
April 21, 2021	6 CCR 1011-1 Chapter 9 Community Clinics and Community Clinics and Emergency Centers and Chapter 13 Freestanding Emergency Departments	Health Facilities and Emergency Medical Services Division/Board of Health	Revision and New Rule	§25-3-103(1)(c) and §25-3-105(1)(a)(I)(B), C.R.S.	X	Develop new rules for free standing emergency departments and make necessary updates to the community clinic chapter	Current and future licensees, families, clients and consumers, providers, organizations that represent licensed facilities, practitioners and consumers

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
May 10, 2021	5 CCR 1002-93, Colorado's Section 303(d) List of Impaired Waters and Monitoring and Evaluation List	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-202 and §25-8-203, C.R.S.		Bi-annual update to the 303(d) list of impaired waters	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators
May 18, 2021	6 CCR 1007-2, Part 1, Section 13 - Medical Waste Facilities	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Revision	§30-20-109 and §25-15-302(4.5), C.R.S.	X	To reduce permitting requirements for medical waste transfer operations; add requirement for treating one's own waste	Medical waste haulers, people residing in communities where medical waste transfer stations operate
May 18, 2021	6 CCR 1007-3, Part 6 - Solid and Hazardous Waste Commission Fee	Solid and Hazardous Waste Commission	Revision	§25-15-314, C.R.S.		To amend the SHWC fee to fund the operation of the commission to fiscal year 2021-2022	Treatment, storage and disposal facilities, generators and transporters of hazardous waste
May 18, 2021	6 CCR 1007-3, Part 267, Subpart H, Standards for the Management of Specific Hazardous Wastes	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	New Rule	§24-33.5-1234, C.R.S.		Establish rules for disposal of Aqueous Film Forming Foam (AFFF) containing Per- and Poly-flouroalkyl substances (PFAS)	Fire Departments, aviation facilities and other entities that use or store Aqueous Film Forming Foam (AFFF) containing Per and Poly flouroalkyl substances (PFAS)

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
May 18, 2021	6 CCR 1007-3, Part 261, Identification and Listing of Hazardous Waste	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Revision	§25-15-302(2), C.R.S.		To update the ignitability characteristic requirement with the federal rule for additional methods to determine ignitability of hazardous wastes	Facilities that generate, treat or store hazardous waste that may be ignitable
May 18, 2021	6 CCR 1007-3, Part 273, Standards for Universal Waste Management	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Revision	§25-15-302(2), C.R.S.		To revise the Colorado universal waste rule for aerosol cans to adhere with the newly issued federal rule	Facilities that generate, treat or store waste aerosol cans under hazardous waste universal waste requirements
May 19, 2021	6 CCR 1007-1 Part 16, Radiation Control - Radiation Safety Requirements for well logging and subsurface tracer studies	Hazardous Materials and Waste Management Division/Board of Health	Revision	§25 1.5 101(1)(k), §25-1.5-101(1)(l), §25-11-103, §25-11-104, and §25-1-108, C.R.S.	X	Minor update for conformance to federal rule changes; minor editorial corrections	Well logging and subsurface tracer studies specific licensees

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
May 19, 2021	5 CCR 1006-3 Statewide Electronic Advanced Medical Directives System	Center for Health and Environmental Data/Board of Health	New Rule	§25-54-102, C.R.S.		Implement SB 19-073	Individuals executive advance health care directives and their authorized agents, health care providers, health facilities, emergency medical services personnel, Health Facilities Emergency Medical Services Division
May 19, 2021	6 CCR 1007-1 Part 19 Radiation Control - Licenses and radiation safety requirements for irradiators	Hazardous Materials and Waste Management Division/Board of Health	Revision	§25 1.5 101(1)(k), §25-1.5-101(1)(l), §25-11-103, §25-11-104, and §25-1-108, C.R.S.	X	Minor update for conformance to federal rule changes; minor editorial corrections	Specific licensees with irradiators
May 19, 2021	6 CCR 1007-1 Part 21 Radiation Control - Colorado low income radon mitigation assistance (LIRMA) program	Hazardous Materials and Waste Management Division/Board of Health	Revision	§25 1.5 101(1)(k), §25-1.5-101(1)(l), §25-11-103, §25-11-104, and §25-1-108, C.R.S.	X	Updates to align/update with HUD income data table/criteria; minor editorial corrections	Applicants for low income radon mitigation system assistance

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
May 20 & 21, 2021	5 CCR 1001-8, Standards of Performance for New Stationary Sources	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	X	To consider a proposal to revise Regulation Number 6, Part A (NSPS) to incorporate by reference changes the EPA made to its New Source Performance Standards and/or Emission Guidelines	Industry & trade groups, local governments, environmental & citizen groups, concerned public members
May 20 & 21, 2021	5 CCR 1001-10, Control of Hazardous Air Pollutants	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	X	To consider revisions Regulation Number 8, Parts A and E (MACT Standards) to incorporate by reference changes the EPA made to its National Emission Standards for Hazardous Air Pollutants rules	Industry & trade groups, local governments, environmental & citizen groups, concerned public members
May 20 & 21, 2021	5 CCR 1001-27, Regional Haze Limits	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	X	To consider revisions related to the control of NOx/SO2/PM emissions from the remaining Reasonable Progress sources identified as impacting Class I areas	Industry & trade groups, Federal Land Manager & National Park Service, environmental & citizen groups, local governments

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
June 14, 2021	5 CCR 1002-31, The Basic Standards and Methodologies for Surface Water	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-202 and §25-8-203, C.R.S.	X	Update water quality standards and classifications and fulfil triannual review requirement from EPA	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators
June 16, 2021	6 CCR 1007-1 Part 8 Radiation Control - Radiation Safety Requirements for Radiation Generating Devices Not Used in the Healing Arts	Hazardous Materials and Waste Management Division/Board of Health	Revision	§25 1.5 101(1)(k), §25-1.5-101(1)(l), §25-11-103, §25-11-104, and §25-1-108, C.R.S.	X	Align with 2016 model regulation Part H of CRCPD; minor editorial and technical corrections	Users of x-ray machines for non-medical industrial purposes
June 16, 2021	6 CCR 1007-1 Part 5 Radiation Control - Radiation Safety Requirements for industrial radiographic operations	Hazardous Materials and Waste Management Division/Board of Health	Revision	§25 1.5 101(1)(k), §25-1.5-101(1)(l), §25-11-103, §25-11-104, and §25-1-108, C.R.S.	X	TBD; minor update for conformance to federal rule changes; alignment with parallel Part 8 amendments; minor editorial changes	Industrial radiography specific licensees
June 16, 2021	6 CCR 1007-1 Part 2 Radiation Control - Registration of radiation machines, facilities and services	Hazardous Materials and Waste Management Division/Board of Health	Revision	§25 1.5 101(1)(k), §25-1.5-101(1)(l), §25-11-103, §25-11-104, and §25-1-108, C.R.S.		Minor change pertaining to industrial x-ray machines; minor editorial changes	Certain industrial x-ray machine facilities

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
July 15 & 16, 2021	5 CCR 1001-9, Control of Ozone via Ozone Precursors and Control of Hydrocarbons via Oil and Gas Emissions (Emissions of Volatile Organic Compounds and Nitrogen Oxides)	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.		To consider revisions to Regulation 7 Reasonably Available Control Technology requirements for incorporation into the 2008 Ozone State Implementation Plan	Industry & trade groups, local governments, environmental groups, and concerned public members
July 15 & 16, 2021	5 CCR 1001-14, Air Quality Standards, Designations and Emission Budgets	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.		To consider revisions to reduce greenhouse gas emissions from the transportation sector, in response to HB19-1261, update existing provisions as necessary, and consider establishing an Energy Intensive Manufacturing Audit Program in response to HB19-1261	CEO, CDOT, E3, disproportionately impacted communities, local governments, environmental groups and industry & trade groups

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
July 15 & 16, 2021	5 CCR 1001-26, Colorado Greenhouse Gas Reporting and Monitoring	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.		To consider revisions to reduce greenhouse gas emissions from the transportation sector, in response to HB19-1261, update existing provisions as necessary, and consider establishing an Energy Intensive Manufacturing Audit Program in response to HB19-1261	CEO, CDOT, E3, disproportionately impacted communities, local governments, environmental groups and industry & trade groups
August 9, 2021	5 CCR 1002-64, Biosolids Regulation	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-202 and §25-8-203, C.R.S.		Update biosolids control regulation for clarity and to reflect current practices	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators
August 17, 2021	6 CCR 1007-2, Part 1, Section 10 - Waste Tires	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Revision	§30-20-1401(2), C.R.S.		To set the waste tire end user rebate amount	Waste tire end users

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
August 18, 2021	6 CCR 1011-1 Chapter 4 General Hospitals, Chapter 10 Rehabilitation Centers, Chapter 18 Psychiatric Hospitals, and Chapter 19 Hospital Units	Health Facilities and Emergency Medical Services Division/Board of Health	Revision	§25-1.5-103, §25-3-101, and §25-3-103, C.R.S.	X	Implement rule review results	Licensees; families, clients and consumers; providers; organizations that represent licensed facilities, practitioners and consumers
August 18, 2021	6 CCR 1009-1 Epidemic and Communicable Disease Control	Division of Disease Control and Public Health Response/ Board of Health	Revision	§25-1-108(1)(c), §25-1.5-102, §25-1-122, and §25-4-511(1), C.R.S.		Update the list of reportable conditions to better allow the Department to respond to emerging issues, including new or changing communicable diseases; Propose adding MIS-C as a reportable condition and make some minor modifications around the language for reporting novel coronaviruses	Colorado healthcare providers, Colorado hospital infection preventionists and lab directors, LPHAs, Colorado Regional Epidemiologists, Association for Professionals in Infection Control (APIC), Colorado reference lab contacts, Colorado Chapter of the American Society for Clinical Laboratory Science, Colorado Hospital Association, Colorado Medical Society

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
October 12, 2020	5 CCR 1002-101, Water Quality Civil Penalty Inflation Adjustment	Water Quality Control Division/Water Quality Control Commission	New Rule	§25-8-202, §25-8-203, §25-7-608, §25-7-609, and §25-8-610, C.R.S.		Incorporate new civil penalty requirements per HB20-1143	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators
October 20, 2021	6 CCR 1016-2 Prevention, Intervention, and Treatment Programs for Children and Youth	Prevention Services Division/Board of Health	Repeal	§25-20.5-101, et. seq., C.R.S.		No longer have statutory authority over the Prevention, Intervention and Treatment Programs for Children and Youth program and must repeal the corresponding rule	Colorado Department of Human Services, Tony Grampas Youth Services Board
November 16, 2021	6 CCR 1007-2, Part 1, Section 12 - Water Treatment Plant Sludge	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Revision	§30-20-109 and §25-15-302(4.5), C.R.S		To adopt conforming changes as a result of the TENORM regulations that are expected to be adopted by the Board of Health in November 2020	Water treatment facilities, operators, and landfills
November 17, 2021	6 CCR 1011-1 Chapter 8 Facilities for Persons with Intellectual and Developmental Disabilities	Health Facilities and Emergency Medical Services Division/Board of Health	Revision	§25-3-103(1)(c) and §25-3-105(1)(a)(I)(B), C.R.S.	X	Implement rule review results	Licensees; families, clients and consumers; organizations that represent licensed facilities, practitioners and consumers

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
November 17, 2021	6 CCR 1007-1 Part 12 Radiation Control - Fees for Radiation Control Services	Hazardous Materials and Waste Management Division/Board of Health	Revision	\$25-1.5-101(1)(l), \$25-1-108(1)(c)(l) and \$25-11-104, C.R.S.		To update fees based on a periodic fee evaluation	All radioactive materials licensees and x-ray registrants
November 18 & 19, 2021	5 CCR 1001-8, Standards of Performance for New Stationary Sources	Air Pollution Control Division/Air Quality Control Commission	Revision	\$24-4-103 and \$25-7-110, \$25-7-110.5 and \$25-7-110.8, C.R.S.		To consider revisions to Regulation 6, Part B adopting a Clean Air Act Section 111d State Plan and emission reductions, monitoring, recordkeeping and reporting for utilities to address EPA's Affordable Clean Energy Rule	Disproportionately impacted communities, local governments, environmental groups and industry & trade groups
November 18 & 19, 2021	5 CCR 1001-23, The Control of Lead Hazards	Air Pollution Control Division/Air Quality Control Commission	Revision	\$24-4-103 and \$25-7-110, \$25-7-110.5 and \$25-7-110.8, C.R.S.		To consider revisions to the lead-based paint abatement regulation. Proposed revisions will include updating regulatory language and lowering clearance and lead dust hazard levels to reflect changes in federal regulation	Industry & trade groups, local governments, environmental groups, and concerned public members

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
December 13, 2021	5 CCR 1002-32-38, Surface Water Quality Classifications and Standards	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-202 and §25-8-203, C.R.S.		Update discharger specific variances for lagoons	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators
December 15, 2021	6 CCR 1011-1 Chapter 26 Home Care Agencies	Health Facilities and Emergency Medical Services Division/Board of Health	Revision	§25-1-107.5, §25-1-108, §25-1-120, §25-1-124(3), §25-1.5-101, §25-1.5-103, §25-1.5-108, §25-3-101 et seq., §25-27.5-101 et seq., and §26-20-108 et seq., C.R.S.	X	Implement rule review results	Licensees; families, clients and consumers; professional associations that represent licensed facilities
December 15, 2021	6 CCR 1015-6 State-Designated Health Professional Shortage Area Designation	Prevention Services Division/Board of Health	Revision	§25-1.5-404 and §25-1.5-501 et. seq., C.R.S.	X	Add new model for primary care health professional shortage area designation	Center for Improving Value in Health Care, Colorado Association of Local Public Health Officials, Colorado Behavioral Health Care Council Colorado Community Health Network, Colorado Medical Society, Colorado Rural Health Center, federally qualified health centers, Mental Health Colorado

Schedule <i>Anticipated hearing date</i>	Rule Number and Title or Brief Description	Division/Board/Program	New rule, revision, or repeal?	Statutory or other basis for adoption of rule	Part of Mandatory Rule Review? <i>(X if yes)</i>	Purpose	Stakeholders
December 16 & 17, 2021	5 CCR 1001-9, Control of Ozone via Ozone Precursors and Control of Hydrocarbons via Oil and Gas Emissions (Emissions of Volatile Organic Compounds and Nitrogen Oxides)	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.		To consider revisions to Regulation Number 7 to establish oil and gas reduction strategies, monitoring, reductions, recordkeeping and reporting in response to SB19-096, HB19-1261 and SB19-181. SIP Fix revisions necessary for EPA approval of Colorado's Ozone SIP	Disproportionately impacted communities, local governments, environmental groups and industry & trade groups
December 16 & 17, 2021	5 CCR 1001-26, Colorado Greenhouse Gas Reporting and Monitoring	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.		To consider revisions to Regulation Number 22, to address greenhouse gases in terms of building energy efficiency in response to HB19-1261	CEO, E3, disproportionately impacted communities, local governments, environmental groups and industry & trade groups

2020

Regulatory Agenda Summary January 1, 2020 – December 31, 2020



2020 Regulatory Agenda Summary

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Schedule for adoption	Stakeholders	Status
6 CCR 1009-6, Newborn Hearing Screening	Center for Health and Environmental Data/Board of Health	New Rule	§25-4-1004.7(8) and (9), C.R.S.	To implement HB 18-1006	January 15, 2020	Newborns, parents, health care providers, laboratories, individuals and interested in deaf and hard of hearing screening	Adopted January 15, 2020
5 CCR 1001-10 - Regulation Number 8 - Control of Hazardous Air Pollutants, Part B	Air Pollution Control Division/Air Quality Control Commission	Revision	§25-7-105(1), §25-7-502 and §25-7-503, §25-7-504, §24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	To consider revisions to Regulation Number 8, Part B, to clarify the existing requirement to inspect single-family residential dwellings	January 16 & 17, 2020	Industry/trade groups, local governments, environmental/citizen groups, and concerned public members	Adopted January 16, 2020
6 CCR 1010-23, Rules and Regulations Governing the Household Medication Take-back Program	Division of Environmental Health and Sustainability/Solid and Hazardous Waste Commission	Revision	§25-15-328, C.R.S.	To implement provisions of SB19-227	February 18, 2020	Participants in the household medication take-back program, law enforcement, general public	Adopted February 18, 2020
6 CCR 1007-2, Part 1, Section 10 - Waste Tires	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Revision	§30-20-1401(2), C.R.S.	Miscellaneous amendments to clarify recordkeeping, annual reporting requirements and storage limits	February 18, 2020	Waste tire processors, haulers, generators, end users of tires or tire derived product	Adopted February 18, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Schedule for adoption	Stakeholders	Status
6 CCR 1011-1, Chapter 2: General Licensure	Health Facilities and Emergency Medical Services Division/Board of Health	Revision	§25-3-121(2), C.R.S.	To implement HB 19-1174 Out-of-network Health Care Services (Make the emergency rule permanent)	February 19, 2020	Health Facilities, Patients and their families, DORA DOI, DORA DPO	Adopted February 19, 2020
6 CCR 1002-22, 61, and 62 - Site Location and Design for Domestic Wastewater Treatment, Discharge Permits, and Effluent Limits	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-202 and §25-8-203, C.R.S.	§25-8-202 and §25-8-203, C.R.S.	March 9, 2020	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators	Adopted March 9, 2020
5 CCR 1002-11 - Primary Drinking Water Regulations	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-202 and §25-8-203, C.R.S.	Incorporate changes for the Revised Total Coliform Rule	March 9, 2020	Public water systems, environmental organizations	Adopted March 9, 2020
Repeal of 6 CCR 1015-10 - Cancer Drug Repository Program	Prevention Services Division/Board of Health	Repeal	§25-35-101, et. seq., C.R.S.	Repeal of an obsolete rule following the repeal of an obsolete statute through SB19-081, and implement rule review results	March 18, 2020	Department of Regulatory Agencies and the American Cancer Society	Repealed March 18, 2020
5 CCR 1002-31, 41, and 42 - Basic Standards for Surface Water, and Basic and Site-Specific Standards for Groundwater	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-202 and §25-8-203, C.R.S.	Narrow changes regarding groundwater standards and organic standards	April 13, 2020	Point Source dischargers, public water systems	Adopted April 13, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Schedule for adoption	Stakeholders	Status
6 CCR 1015-4 Chapter 1: Trauma Registry, Chapter 2:, State Emergency Medical and Trauma Care System Standards, Chapter 3: Designation of Trauma Facilities, and 4: Regional Emergency Medical and Trauma Advisory Councils	Health Facilities and Emergency Medical Services Division/Board of Health	Revision	§25-3.5-701, et. seq., C.R.S.	Implement rule review results	April 15, 2020	Trauma facilities, patients and their families, State Emergency and Medical Trauma Advisory Council (SEMTAC), Regional Emergency Medical and Trauma Advisory Council (RETAC), local governments, and state and local emergency preparedness and response service agencies	Adopted April 15, 2020
6 CCR 1011-1 Chapter 2: General Licensure, Chapter 4: General Hospitals, Chapter 5: Nursing Care Facilities, Chapter 8: Facilities for Persons with Developmental and Intellectual Disabilities, Chapter 9: Community Clinics and Community Clinics and Emergency Centers, Chapter 10: Rehabilitation Centers, Chapter 15: Dialysis Treatment	Health Facilities and Emergency Medical Services Division/Board of Health	Revision	§25-1.5-103, and §25-3-105, C.R.S.	Fee modifications including fee increases	April 15, 2020	Licensees; families, patients and consumers; professional associations that represent licensed health care facilities	Adopted April 15, 2020

Centers, Chapter 18: Psychiatric Hospitals, Chapter 19: Hospital Units, Chapter 20: Ambulatory Surgical Centers and Ambulatory Surgical Centers with Convalescent Centers, and Chapter 21: Hospices							
5 CCR 1001-8, Standards of Performance for New Stationary Sources; 5 CCR 1001-9, Control of Ozone via Ozone Precursors and Control of Hydrocarbons via Oil and Gas Emissions (Emissions of Volatile Organic Compounds and Nitrogen Oxides)	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C. R.S.	To consider revisions that both address SB19-181 and federal Regional Haze Round 2 requirements, by revising the Regional Haze SIP and Regulation Number 7, as well as state-only revisions to Regulation Number 6, Part B related to the control of NOx emissions from reciprocating internal combustion engines	April 16 & 17, 2020	Industry/trade groups, local governments, environmental/citizen groups, and concerned public members	Separated into individual hearings Adopted Regulation 7 on September 23, 2020 Moved Regional Haze Round 2 to May 2021 Moved Regulation 6 Part B to November 2021
6 CCR 1007-3, Parts 261, 262, 264, 265, 267, 268, 273, and 100 - Management Standards for Hazardous Waste Pharmaceuticals and PO75 Listing for Nicotine	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Revision	§25-15-301, et. seq., C.R.S.	To implement the management of hazardous waste pharmaceuticals by healthcare facilities and reverse distributors, to amend the acute hazardous waste listing for nicotine and salts	May 19, 2020	Healthcare facilities and reverse distributors that generate, accumulate, or otherwise handle hazardous waste pharmaceuticals	Adopted May 19, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Schedule for adoption	Stakeholders	Status
6 CCR 1007-3, Parts 260, 261, 264, 265, 267, and 100 - Hazardous Waste Incinerators, Boilers, and Industrial Furnaces	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Revision	§25-15-301, et. seq., C.R.S	Correction of typographical errors and inadvertent omissions	May 19, 2020	Owners and operators of hazardous waste incinerators, boilers and industrial furnaces	Adopted May 19, 2020
6 CCR 1007-3, Parts 260 and 261 - Confidentiality Determinations for Hazardous Waste Import and Export Documents	Hazardous Materials and Waste Management Division/ Solid and Hazardous Waste Commission	Revision	§25-15-301, et. seq., C.R.S.	To align confidentiality and availability of information with federal provisions	May 19, 2020	Importers and exporters of hazardous waste, recycling and disposal facilities that receive imports of hazardous waste	Adopted May 19, 2020
6 CCR 1007-2, Part 1, Section 4 - Solid Waste Financial Assurance	Hazardous Materials and Waste Management Division/ Solid and Hazardous Waste Commission	Revision	§30-20-104.5 and §30-20-109, C.R.S.	Modifications to local government financial test and local government guarantee as mechanisms of financial assurance	May 19, 2020	Local governments that own and/or operate a solid waste disposal site and facility	Adopted May 19, 2020
6 CCR 1007-3, Part 6 - Solid and Hazardous Waste Commission Fee	Solid and Hazardous Waste Commission	Revision	§25-15-314, C.R.S.	To amend the SHWC fee to fund the operation of the commission to fiscal year 2020-2021	May 19, 2020	Treatment, storage and disposal facilities, generators and transporters of hazardous waste	Adopted May 19, 2020
6 CCR 1007-1 Radiation Control Part 7:Use of Radionuclides in the Healing Arts	Hazardous Materials and Waste Management/ Board of Health	Revision	§25-11-104, §25-1-108(1)(c)(l), and §25-1.5-101(1)(l), C.R.S.	Implement rule review results	May 20, 2020	All facilities licensed to use radioactive materials for the healing arts for humans, including hospitals, private clinics, and nuclear pharmacies	Adopted June 17, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Schedule for adoption	Stakeholders	Status
6 CCR 1007-1 Radiation Control Part 3: Licensing of Radioactive Material	Hazardous Materials and Waste Management/ Board of Health	Revision	§25-1.5-101(1)(k), §25-1.5-101(1)(l), §25-11-103, §25- 11-104, and §25-1- 108, C.R.S.	Conforming amendments to align with 6 CCR 1007-1 Radiation Control Part 7: Use of Radionuclides in the Healing Arts, and updates to align with federal regulations	May 20, 2020	All facilities licensed to use radioactive materials for the healing arts for humans, including hospitals, private clinics, and nuclear pharmacies; members of the public, collectors, museums	Adopted June 17, 2020
5 CCR 1001-8, Standards of Performance for New Stationary Sources	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25- 7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	To consider a proposal to revise Regulation Number 6, Part A (NSPS) to incorporate by reference changes the EPA made to its New Source Performance Standards and/or Emission Guidelines	May 21, 2020	Industry/trade groups, local governments, environmental/ citizen groups, and concerned public members	Adopted May 21, 2020
5 CCR 1001-10, Control of Hazardous Air Pollutants	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25- 7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	To consider revisions Regulation Number 8, Parts A and E (MACT Standards) to incorporate by reference changes the EPA made to its National Emission Standards for Hazardous Air Pollutants rules	May 21, 2020	Industry/trade groups, local governments, environmental/ citizen groups, and concerned public members	Adopted May 21, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Schedule for adoption	Stakeholders	Status
5 CCR 1001-11, Open Burning, Prescribed Fire, and Permitting	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	To consider revisions to Regulation Number 9 regarding Open Burning, Prescribed Fire, and Permitting in order to clarify language and definitions in a number of sections, and to move actual 3-year percentage results for user fees out of the regulation	May 21, 2020	Industry/trade groups, local governments, environmental/citizen groups, and concerned public members	Adopted May 21, 2020
5 CCR 1001-26, Greenhouse Gas Reporting and Monitoring	Air Pollution Control Division/Air Quality Control Commission	New	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	To consider establishing a new Regulation Number 22 regarding greenhouse gas emissions reporting and monitoring in response to SB19-096 and emissions limits in response to HB19-1261 and SB19-236.	May 21, 2020	Industry/trade groups, local governments, environmental/citizen groups, and concerned public members	Adopted May 21, 2020
5 CCR 1002-38 - Classifications and Standards for the South Platte Basin	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-202 and §25-8-203, C.R.S.	Update classifications and standards for this river basin	June 8, 2020	Point source dischargers, municipalities, environmental organizations, anglers, recreationalists	Adopted June 8, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Schedule for adoption	Stakeholders	Status
5 CCR 1006-3, Statewide Electronic Advance Medical Directives System	Center for Health and Environmental Data/Board of Health	New	§25-54-102, C.R.S.	Implement SB19-073	June 17, 2020	Individuals executive advance health care directives and their authorized agents, health care providers, health facilities, emergency medical services personnel, Health Facilities Emergency Medical Services	Rescheduled to 2021
6 CCR 1010-6 Rules and Regulations Governing Schools	Division of Environmental Health and Sustainability/ Board of Health	Revision	§25-1.5-101(1)(a), (h), (k) and (l), §25-1.5-102(1)(a) and (d), §25-1-108(1)(c)(1), C.R.S.	A hearing may be necessary to implement the SB 19-104 commission recommendations to improve alignment between Colorado Department of Public Health and Environment, the Colorado Department of Human Services, Colorado Department of Public Safety, and Department of Education rules	June 17, 2020	Schools, students, teachers, parents of enrolled students, Colorado Department of Human Services, Colorado Department of Public Safety, and Department of Education	Withdrawn
5 CCR 1002-84 - Reclaimed Water Control Regulation	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-202 and §25-8-205, C.R.S.	Rulemaking to consider adding oil and gas exploration and production to the list of approved uses of reclaimed water in Colorado	August 10, 2020	Treaters, reclaimed water users, oil and gas operators, environmental groups, concerned citizens	Adopted August 10, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Schedule for adoption	Stakeholders	Status
6 CCR 1010-21, Wholesale Food and Shellfish Regulation	Division of Environmental Health and Sustainability/ Board of Health	Revision	§25-5-418 and §25-5-426, C.R.S.	Rulemaking as needed to support the implementation of SB19-240, SB19-220, and SB19-224	August 19, 2020	Industrial hemp operators that need to register as a Wholesale Food operator, Department of Agriculture, Department of Revenue	Rescheduled to 2021
5 CCR 1003-5, Swimming Pools & Mineral Baths	Water Quality Control Division/Board of Health	Revision	§25-1.5-103, and §25-27-104, C.R.S.	Implement rule review results	August 19, 2020	Local public health, swimming pool operators	Adopted October 22, 2020
6 CCR 1011-1, Chapter 7, Assisted Living Residences	Health Facilities and Emergency Medical Services Division/Board of Health	Revision	§25-1.5-103, and §25-27-104, C.R.S.	Modifications to address issues identified during implementation of the new rule and implement rule review results	August 19, 2020	Assisted Living Facilities, their consumers, professional associations that represent assisted living facilities	Pending for December 16, 2020
6 CCR 1007-1 Radiation Control Part 5: Radiation Safety Requirements for Industrial Radiographic Operations	Hazardous Materials and Waste Management Division/Board of Health	Revision	§25-1.5-101(1)(l), §25-1-108(1)(c), and §25-11-104, C.R.S.	Implement rule review results; includes minor technical clean-up, corrections, and alignment with other recent rule changes	August 19, 2020	All facilities licensed to use radioactive materials for purposes of industrial radiography	Withdrawn
6 CCR 1007-1 Radiation Control Part 17: Transportation of Radioactive Materials	Hazardous Materials and Waste Management Division/Board of Health	Revision	§25-1.5-101(1)(k), §25-10.5-101(1)(l), §25-11-103, §25-11-104, and §25-1-108, C.R.S.	Implement rule review results; includes minor technical clean-up, corrections, and alignment with other recent rule changes	August 19, 2020	All facilities licensed and involved in the transport of radioactive materials	Adopted August 19, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Schedule for adoption	Stakeholders	Status
6 CCR 1007-1 Radiation Control Part 22: Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material	Hazardous Materials and Waste Management Division/Board of Health	Revision	§25-1.5-101(1)(k), §25-10.5-101(1)(l), §25-11-103, §25- 11-104, and §25-1- 108, C.R.S.	Implement rule review results; includes minor technical clean-up, corrections, and alignment with other recent rule changes	August 19, 2020	All facilities who possess category 1 or 2 quantities of radioactive materials	Adopted August 19, 2020
5 CCR 1001-5, Stationary Source Permitting and Air Pollutant Emission Notice Requirements	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25- 7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	To consider revisions to the Regional Haze SIP and Regulation Number 3 related to the control of NO _x /SO ₂ /PM emissions from Reasonable Progress sources identified as impacting Colorado Class I areas	October 15 & 16, 2020	Industry/trade groups, local governments, environmental/ citizen groups, and concerned public members	Pending for November 20, 2020
6 CCR 1015-3, Emergency Medical Services, Chapter 1: Education and Certification, Chapter 2: Practice and Medical Director Oversight	Health Facilities and Emergency Medical Services Division/Board of Health, and the Executive Director or Chief Medical Officer	Revision	§25-3.5-203, §25- 3.5-203.5, §25- 3.5-205, §25-3.5- 206, §25-3.5-207, §25-3.5-208, §25- 3.5-1103, and §25- 3.5-1104, C.R.S.	Implement rule review results and 2019 legislation (SB19-052, SB19-065, SB19-242)	October 21, 2020	Emergency Medical Services agencies and personnel, patients and their families, Department of Regulatory Agencies	Chapter 1: Adopted October 22, 2020 Chapter 2: Adopted October 22, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Schedule for adoption	Stakeholders	Status
6 CCR 1007-1, Radiation Control Part 20 Technologically Enhanced Naturally Occurring Radioactive Material	Hazardous Materials and Waste Management Division/Board of Health	New	§25-11-104, C.R.S.	Implement SB19-145	November 18, 2020	Solid waste landfill operators, local government, communities and individual constituents, drinking water facilities, wastewater treatment facilities, and the gas/oil industry	Pending for November 18, 2020
5 CCR 1001-9, Control of Ozone via Ozone Precursors and Control of Hydrocarbons via Oil and Gas Emissions (Emissions of Volatile Organic Compounds and Nitrogen Oxides); 5 CCR 1001-14, Air Quality Standards, Designations and Emission Budgets	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	To consider revisions addressing SB19-181 and the Clean Air Act: Serious Ozone Nonattainment requirements. This would include a proposed element to Colorado's State Implementation Plan (SIP) and revisions to associated regulations	November 19 & 20, 2020	Industry/trade groups, local governments, environmental/citizen groups, and concerned public members	Pending for December 18, 2020
5 CCR 1002-32 through 38 - Classifications and Standards in River Basins	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-202 and §25-8-203, C.R.S.	Revise temporary modifications expiring in the next two years, and consider proposals for new temporary modifications	December 14, 2020	Entities with a temporary modification expiring in the next two years	Pending for December 14, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Schedule for adoption	Stakeholders	Status
5 CCR 1001-10 - Regulation Number 8 - Control of Hazardous Air Pollutants Part B	Air Pollution Control Division/Air Quality Control Commission	Revision	§25-7-105(1), §25-7-502 and §25-7-503, §25-7-504, §24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	To consider extensive revisions to Regulation Number 8, Part B, the asbestos regulation	December 17 & 18, 2020	Industry/trade groups, local governments, environmental/citizen groups, and concerned public members	Moved to January 21 & 22, 2021

Rulemakings that did not appear on the original 2020 Regulatory Agenda

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status
Emergency Rulemaking 6 CCR 1011-1, Chapter 2: General Licensure Standards	Health Facilities and Emergency Medical Services Division/Executive Director	Revision	Article IV, Section 2 of The Colorado Constitution, §24-33.5-704, §24-4-103(6), §25-3-101, and §25-3-102, C.R.S.	The changes are to revise the regulation in order to extend the expiration date for any of the licenses, certifications, and/or endorsements covered by Section II(H) of Executive Order D 2020-015	April 10, 2020	Health Facilities	Adopted April 10, 2020
Emergency Rulemaking 6 CCR 1015-3 Emergency Medical Services, Chapter 1: Rules Pertaining to EMS and EMR Education, EMS Certification, and EMR Registration, and Chapter 5: Rules Pertaining to Air Ambulance Licensing	Health Facilities and Emergency Medical Services Division/Executive Director	Revision	Article IV, Section 2 of The Colorado Constitution §24-33.5-704, §24-4-103(6), §25-3.5-203.5(1)(b), §25-3.5-307, §25-3.5-203, and §25-3.5-206(4)(a)(V)(A), C.R.S.	The changes are to revise the regulation in order to extend the expiration date for any of the licenses, certifications, and/or endorsements covered by Section II(H) of Executive Order D 2020-015	April 10, 2020	EMS providers	Adopted April 10, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status
Emergency Rulemaking 6 CCR 1014-3 Cleanup of Methamphetamine-Affected Properties	Hazardous Materials and Waste Management Division/Executive Director	Revision	§ 25-18.5-102, C.R.S. and § 25-18.5-106, C.R.S.	The changes are to revise the regulation in order to extend the expiration date for any of the licenses, certifications, and/or endorsements covered by Section II(H) of Executive Order D 2020-015	Emergency Rulemaking: April 10, 2020 Emergency Rulemaking: August 27, 2020	Consultants, Decontamination Workers, Decontamination Supervisors, Qualified Instructors	Adopted April 10, 2020 Adopted August 27, 2020
5 CCR 1005-4 Newborn Screening and Second Newborn Screening	Division of Disease Control and Public Health Response/Board of Health	Revision	§25-4-1004(1)(c)(I-IV) and §25-4-1004.5(3)(b)(V), C.R.S with consideration of §25-4-1003(2)(a).	Add Hemoglobinopathies (Hgb) to the list of conditions with exceptions so that the second newborn screening for Hgb would only occur on a subset of specimens meeting certain criteria, rather than routinely on all specimens	Emergency Rulemaking: April 15, 2020 Permanent Rulemaking: June 17, 2020	Families of newborns, Birthing Facilities, Physicians, Midwives, Pediatricians, Advocacy Groups, Adult Patients with Rate Diseases, Clinical Specialists, Labs, Colorado Department of Health Care Policy and Financing	Adopted April 15, 2020 Adopted June 17, 2020
6 CCR 1007-2, Part 1, Section 10 - Waste Tires	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Revision	§30-20-1401(2), C.R.S.	To clarify requirements for waste tire haulers and mobile waste tire processors; to set the waste tire fee and per-ton rebate amounts	August 18, 2020	Waste tire processors, haulers, generators, end users of tires or tire derived product, purchasers of tires	Adopted August 18, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status
6 CCR 1007-1 Radiation Control Part 2: Registration of Radiation Machines, Facilities and Services	Hazardous Materials and Waste Management Division/Board of Health	Revision	§25-1.5-101(1)(k), §25-1.5-101(1)(l), §25-11-103, §25-11- 104, and §25-1-108, C.R.S.	Non-substantive technical corrections and informational changes to correct technical deficiencies as requested by the Office of Legislative Legal Services; addition of a revised incorporation by reference section and updates to applicable references within the rule	August 19, 2020	Registered entities using x-ray machines and other non- radiation therapy purposes, registered entities who provide services related to x-ray imaging systems, entities interested in rule changes, individuals receiving services provided by a registered x-ray facility	Adopted August 19, 2020
6 CCR 1007-1 Radiation Control Part 6: X-Ray Imaging in the Healing Arts	Hazardous Materials and Waste Management Division/Board of Health	Revision	§25-1.5-101(1)(k), §25-1.5-101(1)(l), §25-11-103, §25-11- 104, and §25-1-108, C.R.S.	Non-substantive technical corrections and informational changes to correct technical deficiencies as requested by the Office of Legislative Legal Services. Addition of a revised incorporation by reference section and updates to applicable references within the rule	August 19, 2020	Registered entities using x-ray machines and other non- radiation therapy purposes, registered entities who provide services related to x-ray imaging systems, entities interested in rule changes, individuals receiving services	Adopted August 19, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status
5 CCR 1003-2 - Regulation No. 100 - Water and Wastewater Facility Operators Certification Requirements	Water Quality Control Division/Water and Wastewater Facility Operators Certification Board	Revision	§25-9-101-110, C.R.S.	To align the definitions in the regulations with the new definitions amended in HB20-1215	September 29, 2020	Water and wastewater utilities, operators	Adopted September 29, 2020
6 CCR 1007-2, Part 1, Sections 1 and 18 - Waste Grease Transporters, Facilities and Personal Users of Waste Grease	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Repeal	§30-20-123, C.R.S.	To repeal the waste grease regulations pursuant to HB20-1374	November 17, 2020	Waste grease facilities, waste grease transporters	Pending for November 17, 2020
6 CCR 1007-1 Pt 12, Radiation Control: Fees for Radiation Control Services	Hazardous Materials and Waste Management Division/Board of Health	Revision	§§25-1-108, 25-1.5-101(1)(k) and (1)(l), and 25-11-104 C.R.S.	Conforming amendments to align with 6 CCR 1007-1, P 20 Technologically Enhanced Naturally Occurring Radioactive Material rulemaking and corrections and informational changes to correct technical deficiencies as requested by Office of Legislative Legal Services; addition of a revised incorporation by reference section and updates to applicable references within the rule	November 18, 2020	Specific and general licensees, individual operators, registrants, drinking water treatment facilities, wastewater treatment facilities, and the gas/oil industry	Pending for November 18, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status
6 CCR 1009-2, The Infant Immunization Program and Immunization of Students Attending School	Division of Disease Control and Public Health Response / Board of Health	Revision	§ 25-4-903, C.R.S. and § 25-4-904, C.R.S.	Implement SB20-163	November 18, 2020	Students, parents, guardians, schools, child care centers, healthcare providers, Colorado Department of Education, Colorado Department of Human Services, local public health agencies, advocacy organizations, federal agencies	Pending for November 18, 2020
6 CCR 1010-4, Colorado Milk and Dairy Products Regulations	Division of Environmental Health and Sustainability/ Board of Health	Revision	§25-1.5-104(1)(b)(I), §25-5.5-103, §25-5.5-107(5) and (6), §25-5.5-205, §25-5.5-309, and §25-5.5-310, C.R.S.	Align regulation with recently revised federal regulations through incorporation by reference	November 18, 2020	Grade 'A' milk processors, licensed milk and dairy plant samplers, manufacturers, farms, transport firms, licensed haulers, consulting and engineering firms, Colorado Department of Agriculture, retail food establishments, consumers	Pending for November 18, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	New rule, revision, or repeal?	Statutory or Other Basis	Purpose	Contemplated Schedule for Adoption	Stakeholders	Status
5 CCR 1001-27, Regional Haze Limits	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	To consider revisions to the Regional Haze SIP and Regulation Number 3 related to the control of NOx/SO2/PM emissions from certain Reasonable Progress sources identified as impacting Class I areas	October 15 & 16, 2020	Industry/trade groups, local governments, environmental/citizen groups, and concerned public members	Pending for November 20, 2020
6 CCR 1011-1, Chapter 2: General Licensure Standards	Health Facilities and Emergency Medical Services Division/Board of Health	Revision	§25-3-121(2), C.R.S.	Incorporate changes requested by the Office of Legislative Legal Services (OLLS)	December 16, 2020	Health facilities, OLLS	Pending for December 16, 2020
5 CCR 1001-5, Stationary Source Permitting and Air Pollutant Emission Notice Requirements	Air Pollution Control Division/Air Quality Control Commission	Revision	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	To consider revisions addressing SB19-181 and the Clean Air Act: Serious Ozone Nonattainment requirements. This would include a proposed element to Colorado's State Implementation Plan (SIP) and revisions to associated regulations: Regional Number 3, Regulation Number 7, and Air Quality Standards, Designations and Emission Budgets	November 19 & 20, 2020	Industry/trade groups, local governments, environmental/citizen groups, and concerned public members	Pending for December 18, 2020

2020

Results of Mandatory Review of Rules



2020 Results of Mandatory Review of Rules

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
6 CCR 1011-1 Chapter 7 - Assisted Living Residences	Health Facilities and Emergency Medical Services Division	§25-27-104, §25-27-107, §25-27-111, and §25-27-113, C.R.S.	January 2020	Y	Y	N	Pending
6 CCR 1015-4 - Statewide Emergency Medical and Trauma Care System, Chapter 1: Prehospital and Trauma Registries, Chapter 2: State Emergency Medical and Trauma Care Standards, Chapter 3: Designation of Trauma Facilities, Chapter 4: Regional Emergency Medical and Trauma Advisory Councils	Health Facilities and Emergency Medical Services Division	§25-3.5-105 and §25-3.5-704, C.R.S.	February 2020	Y	Y	N	Adopted April 15, 2020

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
6 CCR 1009-3 - The Colorado Central Cancer Registry	Center for Health and Environmental Data	§25-1-122(4) and §25-1.5-101(1)(q)(I), C.R.S.	March 2020	Y	N	N	Pending
6 CCR 1009-4 - Reporting and Collecting Medical Aid-in-Dying Medication Information	Center for Health and Environmental Data	§25-48-111, §25-1-108(1)(C)(I), §25-1.5-101, and §25-1-122, C.R.S..	March 2020	N	N	N	NA
6 CCR 1009-8 - Rules and Regulations Pertaining to the Reporting of Causes of Maternal Morbidity and Mortality in Colorado	Prevention Services Division	§25-1.5-101(1)(c)(I) and §25-1.5-101(1)(c)(II), C.R.S.	March 2020	N	N	N	NA
6 CCR 1015-5 - Tobacco Education, Prevention and Cessation Grant Program	Prevention Services Division	§25-3.5-804 (2), C.R.S.	March 2020	N	N	N	NA

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
6 CCR 1015-9 - Cancer, Cardiovascular Disease and Chronic Pulmonary Disease Prevention, Early Detection and Treatment Grant Program	Prevention Services Division	§25-20.5-303, C.R.S.	March 2020	N	N	N	NA
5 CCR 1002-65 - Controlling Discharges to Storm Sewers	Water Quality Control Division	§25-8-202(1)(c), §25-8-205 and §25-8-401, C.R.S.	April 2020	N	N	N	NA
6 CCR 1015-1- Emergency Medical Services Account	Health Facilities and Emergency Medical Services Division	§25-3.5-603 and §25-3.5-604(1), C.R.S.	May 2020	N	N	N	NA
5 CCR 1002-62 - Regulations for Effluent Limitations	Water Quality Control Division	§25-8-205, C.R.S.	May 2020	N	N	N	NA
5 CCR 1002-64 - Biosolids Regulation	Water Quality Control Division	§25-8-202, §25-8-205, §25-8-501, and §25-8-509, C.R.S.	May 2020	N	N	N	NA
5 CCR 1002-81 - Animal Feeding Operations Control Regulation	Water Quality Control Division	§25-8-205, C.R.S.	May 2020	N	N	N	NA

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
6 CCR 1007-1 Part 12 - Radiation Control, Fees for Radiation Control Services	Hazardous Materials and Waste Management Division	§25-1.5-101(1)(k) & (l), §25-11-103 & 104, §25-1-108, C.R.S.	June 2020	Y	N	N	Pending
6 CCR 1010-2 - Colorado Retail Food Establishments	Division of Environmental Health and Sustainability	§25-4-1604(1), C.R.S.	June 2020	N	N	N	NA
6 CCR 1010-20 - Artificial Tanning Devices	Division of Environmental Health and Sustainability	§25-5-1006(1),(2)(a), and (2)(b), C.R.S.	June 2020	N	N	N	NA
6 CCR 1011-1 Chapter 26 - Standards for Hospitals and Health Facilities, Home Care Agencies	Health Facilities and Emergency Medical Services Division	§25-27.5-101, et seq., §25-1.5-103, and §25-3-101, et seq., C.R.S.	June 2020	Y	Y	N	TBD
6 CCR 1015-6 - State-Designated Health Professional Shortage Area Designation	Prevention Services Division	§25-1.5-404, C.R.S. and §25-1.5-501 et. seq., C.R.S.	June 2020	Y	N	N	Pending
6 CCR 1015-7 - Loan Repayment Program for Dental Professionals	Prevention Services Division	§25-23-103, §25-23-105, C.R.S.	June 2020	Y	N	N	Pending

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
6 CCR 1016-3 - Rules Pertaining to International Medical Graduates Seeking State Support of an Immigration Petition: Eligibility, Application Process, Fees and Selection Procedures	Prevention Services Division	§25-20.5-604, C.R.S.	June 2020	Y	N	N	Pending
6 CCR 1016-2 - Prevention, Intervention, and Treatment Programs for Children and Youth	Prevention Services Division	§25-20.5-108, C.R.S.	June 2020	Y	Y	Y	Pending
6 CCR 1007-1 Part 16 - Radiation Control, Radiation Safety Requirements for Wireline Service Operations and Subsurface Tracer Studies	Hazardous Materials and Waste Management Division	§25- 1.5- 101(1)(k) & (l), §25-11-103 & 104, §25-1-108, C.R.S.	July 2020	Y	N	N	Pending

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
6 CCR 1011-1 Chapter 20 - Standards for Hospitals and Health Facilities, Ambulatory Surgical Center and Ambulatory Surgical Center with a Convalescent Center	Health Facilities and Emergency Medical Services Division	\$25-1.5-103, \$25-3-101 and \$25-3-103, C.R.S.	August 2020	Y	Y	N	Pending
5 CCR 1001-4 - Regulation Number 2 - Odor Emission	Air Pollution Control Division	\$24-4-103 and \$25-7-110, \$25-7-110.5 and \$25-7-110.8, C.R.S.	August 2020	NA	NA	NA	Review did not occur
5 CCR 1001-10 - Regulation Number 8 - Control of Hazardous Air Pollutants (specifically Part B related to asbestos)	Air Pollution Control Division	\$24-4-103 and \$25-7-110, \$25-7-110.5 and \$25-7-110.8, C.R.S.	August 2020	NA	NA	NA	Moved to January 2021
5 CCR 1002-66 - Financial Assurance Criteria Regulations for Colorado Housed Commercial Swine Feeding Operations	Water Quality Control Division	\$25-8-202(1)(d) and (2), \$25-8-501.1, \$25-8-504, and \$24-4-103, C.R.S.	August 2020	N	N	N	NA

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
6 CCR 1007-1 Part 19 - Radiation Control, Licenses and Radiation Safety Requirements for Irradiators	Hazardous Materials and Waste Management Division	§25- 1.5- 101(1)(k) & (l), §25-11-103 & 104, §25-1-108, C.R.S.	September 2020	Y	N	N	Pending
6 CCR 1011-1 Chapter 5 - Standards for Hospitals and Health Facilities, Nursing Care Facilities	Health Facilities and Emergency Medical Services Division	§25-1.5-103, §25-3-101 and §25-3-103, C.R.S.	September 2020	Y	Y	N	Pending
5 CCR 1002-85 - Nutrients Management Control Regulation	Water Quality Control Division	§25-8-205, C.R.S.	October 2020	N	N	N	NA
5 CCR 1002-31 - Basic Standards and Methodologies for Surface Water	Water Quality Control Division	§25-8-203 and §25-8-204, C.R.S.	November 2020	Pending	Pending	Pending	Pending
5 CCR 1002-39 - Colorado River Salinity Standards	Water Quality Control Division	§25-8-202(2), §25-8-204; and §25-8-207(1)(c), C.R.S.	December 2020	Pending	Pending	Pending	Pending
5 CCR 1001-1 - Procedural Rules	Air Quality Control Commission	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	December 2020	pending	pending	pending	pending

Rule Number (CCR) and Title (or Description)	Division/ Board/ Program	Statutory or Other Basis	Month of Review Completion	Did review result in revisions to regulation?	Did the review result in repeal of any part of the regulation?	Did review result in repeal of entire CCR volume?	Adoption date (if applicable)
6 CCR 1007-2, Part 1, Section 16 - Materials Prohibited from Disposal	Hazardous Materials and Waste Management Division	§30-20-109, and §25-17-301, C.R.S.	December 2020	pending	pending	pending	Pending
6 CCR 1007-2, Part 1, Section 17 - Commercial Exploration and Production Waste Impoundments	Hazardous Materials and Waste Management Division	§30-20-109, C.R.S.	December 2020	pending	pending	pending	pending
6 CCR 1007-2, Part 2 - Siting of Hazardous Waste Disposal Sites	Hazardous Materials and Waste Management Division	§25-15-208 and §30-20-109, C.R.S.	December 2020	pending	pending	pending	pending
6 CCR 1007-3, Part 268 - Hazardous Waste - Land Disposal Restrictions	Hazardous Materials and Waste Management Division	§25-15-301, et.seq., C.R.S.	December 2020	pending	pending	pending	pending