

2022

Regulatory Agenda

January 1, 2022 – December 31, 2022



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 2022 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 2021 Regulatory Agenda Summary and the 2021 Results of Mandatory Review of Rules (Pursuant to §24-4-103.3(4), C.R.S.).

2022 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
February 15, 2022	6 CCR 1007-2, Part 1, Section 4 - Financial Assurance Requirements	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Revision	§30-20-109, C.R.S.		To include a provision requiring bond holders to notify the Department prior to releasing a bond that is held for financial assurance	All solid waste facilities, financial institutions
February 16, 2022	5 CCR 1006-2 Medical Use of Marijuana	Center for Health and Environmental Data/Board of Health	Revision	Colorado Constitution, Article XVIII, Section 14 and §25-1.5-106, C.R.S.		Adopt permanent changes to align 5 CCR 1006-2 with the changes in HB 21-1317	Medical marijuana registry customers which includes patients, prospective patients, parents, guardians, and legal representatives of patients, caregivers, and health care providers

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April 11, 2022	5 CCR 1002-72, Cherry Creek Reservoir Control Regulation	Water Quality Control Division/Water Quality Control Commission	Revision	§§ 25-8-202(1)(c) and 25-8-205, C.R.S.	X	Revise Section 72.7 (MS4s) and related definitions to update, clarify and prevent conflicts with other regulations	Cherry Creek Basin Water Quality Authority (CCBWQA), CCBWQA members, CCBWQA MS4 entities, Water Quality Control Division
April 20, 2022	6 CCR 1015-3 Chapter 3 Emergency Medical Services	Health Facilities and Emergency Medical Services Division/Board of Health	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.	X	Update current data reporting standards and timelines	Emergency Medical Services agencies and personnel, patients and their families, Department of Regulatory Agencies
May 9, 2022	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.	X	To improve the regulation, make general clarifications and corrections, improve efficiency in the reclaimed water program and reduce repetitiveness in the regulation	Reclaimed water treaters and users and the general public

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May 17, 2022	6 CCR 1007-2, Part 1, Section 12 - Water Treatment Plant Sludge	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Repeal	§30-20-109, C.R.S.		Repeal section due to overlapping solid waste regulations	Drinking water treatment facilities, water utilities, municipalities
May 17, 2022	6 CCR 1007-2, Part 1, Section 16 - Materials Prohibited From Disposal	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Revision	§30-20-109, C.R.S.		To include a prohibition on the disposal of radioactive licensed material in solid waste landfills	Solid waste landfill operators, exploration and production companies, E&P waste haulers, environmental, consulting firms, COGCC
May 17, 2022	6 CCR 1007-2, Part 1, Section 2 - Minimum Standards	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Revision	§30-20-109, C.R.S.		To include a TENORM waste characterization requirement for solid waste disposal sites that complies with 6 CCR 1007-1 Part 20	Solid waste landfill operators, exploration and production companies, E&P waste haulers, environmental, consulting firms, COGCC

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May 17, 2022	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 2022-2023	Treatment, storage and disposal facilities, generators and transporters of hazardous waste
May 19 & 20, 2022	5 CCR 1001-8, Regulation Number 6: 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	Industry & trade groups, local governments, environmental & citizen groups, concerned public members
May 19 & 20, 2022	5 CCR 1001-10 - Regulation Number 8: 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	Industry & trade groups, local governments, environmental & citizen groups, concerned public members

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June 13 & 14, 2022	5 CCR 1002-34 and 5 CCR 1002-35 Classifications and Numeric Standards for San Juan River and Dolores River Basins and Gunnison and Lower Dolores River Basins 5 CCR 1002-31 through 5 CCR 1002-38, Discharger Specific Variances and Temporary Modifications	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-101 et seq., 25-8-203 and 25-8-204, C.R.S.	X	Update classifications and standards for this river basin , update discharger specific variances for lagoons, and revise temporary modifications expiring in the next two years, and consider proposals for new temporary modifications	Entities with a Temporary modification expiring in the next two years, point source dischargers, municipalities, environmental organizations, wastewater treatment operators
June 15, 2022	6 CCR 1011-4 Behavioral Crisis Secure Transport	Health Facilities and Emergency Medical Services Division/Board of Health	New Rule	§§25-3.5-103, 25-3.5-309, 25-3.5-310 - 313, C.R.S.		Establish minimum requirements for secure transportation services licensing, pursuant to HB21-1085	Counties, Ambulance Agencies, Behavioral Health Entities, Community Organizations, Patients, Families and consumers
June 15, 2022	6 CCR 1009-13 Community Behavioral Health Disaster Program	Division of Disease Control and Public Health Response/Board of Health	New Rule	HB21-1281		To create the criteria in rule for the community behavioral health disaster preparedness and response program	Community behavioral health agencies and the communities they serve

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June 15, 2022	6 CCR 1014-5 Office of Health Equity Rules for the Health Disparities Grant Program	Colorado State Board of Health	Revision	Colorado Revised Statutes Title 25. Health §25-4-2203. Health disparities grant program--rules	X	Incorporate stakeholder feedback following issuance of grant new grant funds	Community organizations working with vulnerable populations
August 8, 2022	5 CCR 1002-11, Colorado Primary Drinking Water Regulations	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-202 and §25-8-203, C.R.S.		Introduce a direct potable reuse rule	Public water systems, advocacy groups, other states, the USEPA, and consulting engineers
August 16, 2022	6 CCR 1007-2, Part 1, Section 10 - Waste Tires	Hazardous Materials and Waste Management Division/Solid and Hazardous Waste Commission	Revision	§§30-20-1403 and 30-20-1405, C.R.S.		To set the annual waste tire end user rebate amounts, and set the waste tire fee (if needed)	Tire retailers, waste tire processors, waste tire monofills, and waste tire end users

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August 17, 2022	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.		To update this rule so that the Department can better respond to emerging issues, and to align this rule with current practice, including advances in prevention, diagnosis, and treatment of communicable diseases	CO healthcare providers, CO hospital infection preventionists & lab directors, LPHAs, CO Regional Epidemiologists, Association for Professionals in Infection Control, CO reference lab contacts, CO Chapter of the American Society for Clinical Laboratory Science, CO Hospital Association, CO Medical Society
August 18 & 19, 2022	5 CCR 1001-24 - Regulation Number 20: Colorado Low Emission Automobile Regulation	Air Pollution Control Division/Air Quality Control Commission	Revision	§§25-7-102, 25-7-101 et seq., C.R.S		To consider the adoption of the Advanced Clean Trucks Rule	Disproportionately Impacted Communities, local governments, environmental groups, automobile dealers and manufacturers, and trade groups

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September 15 & 16, 2022	5 CCR 1001-5 - Regulation Number 3: 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 establish greenhouse gas emissions reporting and implement HB21-1266	CEO, local governments, environmental groups, disproportionately impacted communities, industry & trade groups
October 11, 2022	5 CCR 1002-73, Chatfield Reservoir Control Regulation	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-205, C.R.S.	X	Update Chatfield Reservoir Control Regulation to reflect revised wasteload allocations resulting from trades completed since last rulemaking hearing; clarify trading discussion, update definitions to clarify and prevent conflicts with other regulations	Chatfield Watershed Authority (CWA), CWA members, Town of Castle Rock, Pine Canyon/JRW Family Limited Partnership, LLLP (“JRW”), Water Quality Control Division
October 11, 2022	5 CCR 1002-101, Water Quality Civil Penalty Inflation Adjustment Regulation	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-202, §25-8-203, §25-7-608, §25-7-609, and §25-8-610, C.R.S.		Incorporate civil penalty requirements per HB20-1143	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators

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October 19, 2022	6 CCR 1011-1 Chapter 6 Acute Treatment Units	Health Facilities and Emergency Medical Services Division/Board of Health	Repeal	§25-1.5-103, C.R.S.	X	Repeal of Chapter 6 - Acute Treatment Units occasioned by the development of Behavioral Health Entities as a licensure category	Licensees; families, patients and consumers; professional associations that represent licensed health care facilities
October 19, 2022	6 CCR 1007-1 Part 7 Radiation Control - Use of Radionuclides in the Healing Arts	Hazardous Materials and Waste Management Division/Board of Health	Revision	§§25-1-108, 25-1.5-101(1)(l), and 25-11-104, C.R.S.		Minor editorial corrections; Minor technical updates for conformance to 2021 federal rule changes of the Nuclear Regulatory Commission (NRC). See NRC Regulatory Action Tracking System (RATS) 2021-1	All facilities using radioactive materials for healing arts (medical) purposes, including private clinics and hospitals
October 19, 2022	6 CCR 1007-1 Part 17 Radiation Control - Transportation of Radioactive Materials	Hazardous Materials and Waste Management Division/Board of Health	Revision	§§25-1-108, 25-1.5-101(1)(l), and 25-11-104, C.R.S.		Minor editorial corrections; Minor technical updates for conformance to 2020 federal rule changes of the Nuclear Regulatory Commission (NRC). See NRC Regulatory Action Tracking System (RATS) 2020-3	All facilities that transport or ship radioactive materials

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November 14, 2022	5 CCR 1002-85, Nutrients Management Control Regulation	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-205 C.R.S.	X	To control nutrients (phosphorus and nitrogen) statewide through permits and voluntary nonpoint source controls, outreach and education	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators
November 14, 2022	5 CCR 1002-31 through 38, Classifications and Standards in River Basins	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-101 et seq., 25-8-203 and 25-8-204, C.R.S.		To consider revised lakes nutrients criteria to ensure that water quality standards protective of classified uses are appropriately applied based on available data and other supporting information	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators
November 16, 2022	6 CCR 1010-4 Colorado Milk and Dairy Products Regulation	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.		Incorporation by reference of the requirements and provisions of FDA's current Grade "A" Pasteurized Milk Ordinance	Grade 'A' milk processors, licensed milk and dairy plant samplers, manufacturers, farms, transport firms, licensed haulers, consulting and engineering firms, CDA, retail food establishments, consumers

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November 16, 2022	5 CCR 1005-5 Hemp Testing Laboratory Certification	Laboratory Services Division/Board of Health	Revision	§35-61-105.5(2)(d) and §25-1.5-101(1)(f), C.R.S.		To update the criteria in the 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
November 16, 2022	5 CCR 1006-2 Medical Use of Marijuana	Center for Health and Environmental Data/Board of Health	Revision	Colorado Constitution, Article XVIII, Section 14 and §25-1.5-106, C.R.S.		Review rule to ensure that it is in alignment with all statutes and does not need to be updated to align with any new legislative changes	Medical marijuana registry customers which includes patients, prospective patients, parents, guardians, and legal representatives of patients, caregivers, and health care providers

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November 17 & 18, 2022	5 CCR 1001-26 - Regulation Number 22: Colorado Greenhouse Gas Reporting and Monitoring	Air Pollution Control Division/Air Quality Control Commission	Revision	§§25-7-102, 25-7-103, 25-7-105, 25-7-106, 25-7-109, and 25-7-110, C.R.S.		To consider revisions to Regulation Number 22 establishing a recovered methane protocol and establishing a greenhouse gas crediting and tracking system in response to SB21-264	CEO, PUC, gas distribution utilities, disproportionately impacted communities, local governments, environmental groups and industry & trade groups
December 15 & 16, 2022	5 CCR 1001-5 - Regulation Number 3 - Stationary Source Permitting and Air Pollutant Emission Notice Requirements	Air Pollution Control Division/Air Quality Control Commission	Revision	§§25-7-102, 25-7-105, 25-7-106, 25-7-109, 25-7-110, and 25-7-114, C.R.S.		To consider revisions addressing the Clean Air Act (CAA) Ozone Nonattainment requirements for the 2008 and/or 2015 Ozone National Ambient Air Quality Standards (NAAQS). This would include proposed elements to Colorado's State Implementation Plan (SIP) and revisions to associated regulations	EPA, RAQC, Industry & trade groups, local governments, environmental & citizen groups, concerned public members

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December 15 & 16, 2022	5 CCR 1001-9 - Regulation Number 7 - Control of 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	§§25-7-102, 25-7-105, 25-7-106, 25-7-109, 25-7-110, and 25-7-114, C.R.S.		To consider revisions addressing the Clean Air Act (CAA) Ozone Nonattainment requirements for the 2008 and/or 2015 Ozone National Ambient Air Quality Standards (NAAQS). This would include proposed elements to Colorado's State Implementation Plan (SIP) and revisions to associated regulations	EPA, RAQC, Industry & trade groups, local governments, environmental & citizen groups, concerned public members
December 15 & 16, 2022	5 CCR 1001-13 - Regulation Number 11 - Motor Vehicle Emissions Inspection Program	Air Pollution Control Division/Air Quality Control Commission	Revision	§§25-7-102, 25-7-105, 25-7-106, 25-7-109, 25-7-110, and 25-7-114, C.R.S.		To consider revisions addressing the Clean Air Act (CAA) Ozone Nonattainment requirements for the 2008 and/or 2015 Ozone National Ambient Air Quality Standards (NAAQS). This would include proposed elements to Colorado's State Implementation Plan (SIP) and revisions to associated regulations	EPA, RAQC, Industry & trade groups, local governments, environmental & citizen groups, concerned public members

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December 15 & 16, 2022	5 CCR 1001-14 - Air Quality Standards - Air Quality Standards, Designations and Emission Budgets	Air Pollution Control Division/Air Quality Control Commission	Revision	§§25-7-102, 25-7-105, 25-7-106, 25-7-109, 25-7-110, and 25-7-114, C.R.S.		To consider revisions addressing the Clean Air Act (CAA) Ozone Nonattainment requirements for the 2008 and/or 2015 Ozone National Ambient Air Quality Standards (NAAQS). This would include proposed elements to Colorado's State Implementation Plan (SIP) and revisions to associated regulations	EPA, RAQC, Industry & trade groups, local governments, environmental & citizen groups, concerned public members

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Regulatory Agenda Summary January 1, 2021 – December 31, 2021



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5 CCR 1001-10 - Control of Hazardous Air Pollutants	Air Pollution Control Division/Air Quality Control Commission	Revision	§25-4-1004.7(8) and (9), C.R.S.	To implement HB 18-1006	January 21 & 22, 2021	Industry & trade groups, local governments, environmental & citizen groups, concerned public members	Adopted January 21, 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	January 26, 2021	Water and wastewater operators, applicants from other states, water and wastewater utilities	Adopted January 26, 2021
6 CCR 1007-3, Part 267, Subpart Q - 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-fluoroalkyl substances (PFAS)	February 16, 2021	Fire Departments, aviation facilities and other entities that use or store Aqueous Film Forming Foam (AFFF) containing Per- and Poly- fluoroalkyl substances (PFAS)	Adopted February 16, 2021

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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	February 17, 2021	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	Adopted 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	February 17, 2021	Industrial hemp operators that need to register as a Wholesale Food operator, Department of Agriculture, Department of Revenue	Adopted February 17, 2021

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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 Newborn Screening panel	March 17, 2021	Parents, newborns, hospital laboratories, nurseries, NICUs, pediatricians, Inherited Metabolic Disorder Specialists, Endocrine Specialists, Immunology Specialists, Hemoglobinopathy Specialists, Neuromuscular Specialists, Colorado branch of National Organization of Rare Disorders	Adopted March 17, 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	April 21, 2021	Health Facilities, licensees, families, patients and consumers, providers, and professional associations that represent licensed facilities	Adopted 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	April 21, 2021	Current and future licensees, families, clients and consumers, providers, organizations that represent licensed facilities, practitioners and consumers	Adopted April 21, 2021

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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.	Develop new rules for freestanding emergency departments and make necessary updates to the community clinic chapter	April 21, 2021	Current and future licensees, families, clients and consumers, providers, organizations that represent licensed facilities, practitioners and consumers	Adopted April 21, 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	May 10, 2021	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators	Adopted June 15, 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.	To reduce permitting requirements for medical waste transfer operations; add requirement for treating one's own waste	May 18, 2021	Medical waste haulers, people residing in communities where medical waste transfer stations operate	Anticipated November 16, 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	May 18, 2021	Treatment, storage and disposal facilities, generators and transporters of hazardous waste	Adopted May 18, 2021

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6 CCR 1007-3, Part 267, Subpart Q - 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- fluoroalkyl substances (PFAS)	May 18, 2021	Fire Departments, aviation facilities and other entities that use or store Aqueous Film Forming Foam (AFFF) containing Per and Poly-fluoroalkyl substances (PFAS)	Withdrawn
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	May 18, 2021	Facilities that generate, treat or store hazardous waste that may be ignitable	Adopted 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	May 18, 2021	Facilities that generate, treat or store waste aerosol cans under hazardous waste universal waste requirements	Anticipated November 16, 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.	Minor update for conformance to federal rule changes; minor editorial corrections	May 19, 2021	Well logging and subsurface tracer studies specific licensees	Adopted May 19, 2021

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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	May 19, 2021	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	Adopted May 19, 2021
6 CCR 1007-1 Part 19 - Radiation Control - Licenses and radiation safety requirements for irradiators	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.	Minor update for conformance to federal rule changes; minor editorial corrections	May 19, 2021	Specific licensees with irradiators	Adopted May 19, 2021
6 CCR 1007-1 Part 21 - Radiation Control - Colorado low income radon mitigation assistance (LIRMA) program	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.	Updates to align/update with HUD income data table/criteria; minor editorial corrections	May 19, 2021	Applicants for low income radon mitigation system assistance	Adopted May 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 revise Regulation Number 6, Part A (NSPS) to incorporate by reference changes EPA made to its New Source Performance Standards and/or Emission Guidelines	May 20 & 21, 2021	Industry & trade groups, local governments, environmental & citizen groups, concerned public members	Adopted May 21, 2021

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 - 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 20 & 21, 2021	Industry & trade groups, local governments, environmental & citizen groups, concerned public members	Adopted May 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.	To consider revisions related to the control of NOx/SO2/PM emissions from the remaining Reasonable Progress sources identified as impacting Class I areas	May 20 & 21, 2021	Industry & trade groups, Federal Land Manager & National Park Service, environmental & citizen groups, local governments	Anticipated November 19, 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.	Update water quality standards and classifications and fulfil triannual review requirement from EPA	June 14, 2021	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators	Adopted August 9, 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.	Align with 2016 model regulation Part H of CRCPD; minor editorial and technical corrections	June 16, 2021	Users of x-ray machines for non-medical industrial purposes	Adopted June 16, 2021

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 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.	TBD; minor update for conformance to federal rule changes; alignment with parallel Part 8 amendments; minor editorial changes	June 16, 2021	Industrial radiography specific licensees	Adopted 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	June 16, 2021	Certain industrial x-ray machine facilities	Adopted June 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	July 15 & 16, 2021	Industry & trade groups, local governments, environmental groups, and concerned public members	Adopted July 16, 2021

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 1001-14 - 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	July 15 & 16, 2021	CEO, CDOT, E3, disproportionately impacted communities, local governments, environmental groups and industry & trade groups	Withdrawn
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	July 15 & 16, 2021	CEO, CDOT, E3, disproportionately impacted communities, local governments, environmental groups and industry & trade groups	Adopted August 19, 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	August 9, 2021	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators	Adopted August 9, 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	August 17, 2021	Waste tire end users	Anticipated November 16, 2021

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
<p>6 CCR 1011-1 Chapter 4</p> <p>General Hospitals, Chapter 10</p> <p>Rehabilitation Centers, Chapter 18</p> <p>Psychiatric Hospitals, and Chapter 19</p> <p>Hospital Units</p>	<p>Health Facilities and Emergency Medical Services Division/ Board of Health</p>	Revision	<p>§25-1.5-103, §25-3-101, and §25-3-103, C.R.S.</p>	Implement rule review results	August 18, 2021	<p>Licensees; families, clients and consumers; providers; organizations that represent licensed facilities, practitioners and consumers</p>	Adopted August 18, 2021
<p>6 CCR 1009-1 - Epidemic and Communicable Disease Control</p>	<p>Division of Disease Control and Public Health Response/ Board of Health</p>	Revision	<p>§25-1-108(1)(c), §25-1.5-102, §25-1-122, and §25-4-511(1), C.R.S.</p>	<p>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</p>	August 18, 2021	<p>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</p>	Adopted August 18, 2021

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 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	October 12, 2021	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators	Adopted October 12, 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	October 20, 2021	Colorado Department of Human Services, Tony Grampas Youth Services Board	Adopted October 21, 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	November 16, 2021	Water treatment facilities, operators, and landfills	Rescheduled for 2022
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.	Implement rule review results	November 17, 2021	Licensees; families, clients and consumers; organizations that represent licensed facilities, practitioners and consumers	Anticipated November 17, 2021

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 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	November 17, 2021	All radioactive materials licensees and x-ray registrants	Withdrawn
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	November 18 & 19, 2021	Disproportionately impacted communities, local governments, environmental groups and industry & trade groups	Withdrawn
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	November 18 & 19, 2021	Industry & trade groups, local governments, environmental groups, and concerned public members	Anticipated November 18, 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	December 13, 2021	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators	Withdrawn

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 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.	Implement rule review results	December 15, 2021	Licensees; families, clients and consumers; professional associations that represent licensed facilities	Anticipated 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.	Add new model for primary care health professional shortage area designation	December 15, 2021	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	Adopted May 19, 2021

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 1001-9 - 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	December 16 & 17, 2021	Disproportionately impacted communities, local governments, environmental groups and industry & trade groups	Anticipated December 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	December 16 & 17, 2021	CEO, E3, disproportionately impacted communities, local governments, environmental groups and industry & trade groups	Anticipated December 17, 2021

Rulemakings that did not appear on the original 2021 Regulatory Agenda

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
Emergency Executive Director 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	December 28, 2020	Consultants, Decontamination Workers, Decontamination Supervisors, Qualified Instructors	Adopted December 28, 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)	Air Pollution Control Division/Air Quality Control Commission	Revision	§§24-4-103, 25-7-110, 25-7-110.5 and 25-7-110.8, C.R.S.	To consider revisions to Regulation Number 7, Part D, Section III. This hearing is intended to address the issues which were bifurcated from the December 2020 rulemaking hearing. Alternative proposals to extend requirements for non-emitting controllers to existing facilities are within the scope of notice for this hearing. Revisions unrelated to pneumatic controller requirements will not be considered during this hearing	February 18 & 19, 2021	Industry & trade groups, local governments, environmental groups, concerned public members	Adopted February 19, 2021

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 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 remove obsolete provisions of Regulation 100 as a follow-up to the 2018 Facility Classification Amendments	March 30, 2021	Water and wastewater operators, water and wastewater utilities and facilities	Adopted March 30, 2021
5 CCR 1002-73 - Chatfield Reservoir Control Regulation	Water Quality Control Division/Water Quality Control Commission	Revision	§25-8-205, 25-8-205, and 24-4-103(4), C.R.S	To reflect the transfer of ownership of wasteload allocation from Roxborough Park Metropolitan District to Dominion Water & Sanitation District	June 14, 2021	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators	Adopted June 14, 2021
5 CCR 1002-32 through 5 CCR 1002-38 - Classifications and Numeric Standards for Colorado Basins	Water Quality Control Division/Water Quality Control Commission	Revision	§§25-8-101, 25-8-203, and 25-8-204 C.R.S.	Update water quality standards and classifications and fulfil triannual review requirement from EPA, related to the Regulation #31 rulemaking hearing	June 14, 2021	Point source dischargers, municipalities, environmental organizations, wastewater treatment operators	Adopted August 9, 2021
5 CCR 1001-1 - Procedural Rules	Air Pollution Control Division/Air Quality Control Commission	Revision	§§25-7-106(3), 25-7-110.8(1), 24-4-103, 25-7-110, 25-7-110.5 and 25-7-110.8 C.R.S.	To consider revisions to the Procedural Rules	July 15 & 16, 2021	Industry & trade groups, local governments, environmental groups, concerned public members	Adopted July 15, 2021

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 1001-13 - Motor Vehicle Emissions Inspection Program	Air Pollution Control Division/Air Quality Control Commission	Revision	40 C.F.R. §51.350(a)(2); §§25-7-101, 25-7-105(1)(a), 25-7-301, and 25-7-302, 24-4-103, 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	July 15 & 16, 2021	CEO, CDOT, E3, disproportionately impacted communities, local governments, environmental groups and industry & trade groups	Adopted August 19, 2021
5 CCR 1001-24 - Colorado Low Emission Automobile Regulation	Air Pollution Control Division/Air Quality Control Commission	Revision	§177 of the CAA, 42 U.S.C. §7507; §§25-7-105(1), 25-7-102, 25-7-109, 25-7-109(1)(a)(2), 25-7-103, 25-7-106, 24-4-103 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	July 15 & 16, 2021	CEO, CDOT, E3, disproportionately impacted communities, local governments, environmental groups and industry & trade groups	Adopted August 19, 2021
Emergency Rulemaking 6 CCR 1011-1 Chapter 2 General Licensure Standards	Health Facilities and Emergency Medical Services Division/Board of Health	Revision	§§24-4-103(6), 25-1.5-102, 25-1.5-103, and 25-3-103, C.R.S.	The changes are to implement the COVID-19 vaccination requirement in licensed healthcare facilities	August 30, 2021	Licensees; families, clients and consumers; professional associations that represent licensed facilities	Adopted August 30, 2021

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 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 implement SB21-077, removing proof of lawful presence as a condition of certification	September 28, 2021	Water and wastewater operators, applicants, applicants from other states	Adopted September 28, 2021
6 CCR 1015-3 Chapter 2 Rules Pertaining to EMS Practice and Medical Director Oversight	Health Facilities and Emergency Medical Services Division/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 changes to the regulation necessitated by the passage of HB21-1251	October 20, 2021	Licensed and certified EMS providers, EMS agencies, EMS medical directors, consumers	Adopted October 20, 2021
Emergency Rulemaking 6 CCR 1014-5 Office of Health Equity Rules for the Health Disparities Grant Program	Colorado State Board of Health	Revision	§25-4-2203, C.R.S.	Revise the rules to incorporate SB21-181	October 21, 2021	Community organizations that work with vulnerable populations in Colorado	Adopted October 21, 2021
5 CCR 1001-2 - Common Provisions	Air Pollution Control Division/Air Quality Control Commission	Revision	§§25-7-112; 24-4-103 and 25-7-110, 25-7-110.5 and 25-7-110.8 C.R.S.	To consider revisions to the Common Provisions regulation to address HB20-1143 with respect to inflation adjustments for maximum fines and penalties for air quality control violations	October 21 & 22, 2021	Industry & trade groups, local governments, environmental & citizen groups, concerned public members	Adopted October 21, 2021

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 1001-26 - Colorado Greenhouse Gas Reporting and Monitoring	Air Pollution Control Division/Air Quality Control Commission	Revision	§§25-7-105(1), 25-7-105(1)(e) et. seq., 25-7-102, 5-7-102(2)(g), 25-7-103(11), 25-7-106; 25-7-109(1), 25-7-109(2)(c), 24-4-103, 25-7-110, 25-7-110.5 and 25-7-110.8 C.R.S.	To consider revisions to Regulation Number 22, Part B to include a new section for Greenhouse Gas Emissions and Energy Management Program for Industrial Manufacturers ("GEMM") in Colorado to conduct an audit of their operations every 5 years to determine whether they are using the best available technologies and the best available energy efficiency practices to reduce GHG emissions in response to HB19-1261 & HB21-1266	October 21 & 22, 2021	CEO, CDOT, E3, local governments, environmental groups, disproportionately impacted communities, industry & trade groups	Adopted October 22, 2021
5 CCR 1006-1 Vital Statistics	Center for Health and Environmental Data/ Board of Health	Revision	§25-2-103 and 24-4-103, C.R.S	Update language to reflect updates to C.R.S. 25-2-113.8, which no longer requires minors to obtain treatment prior to amending their sex as listed on their birth certificate	November 17, 2021	CO Clerk and Recorders, CO DMV, U.S. Dept of State, LGBTQ Individuals and Advocacy Organizations	Anticipated November 17, 2021

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 Standards	Health Facilities and Emergency Medical Services Division/Board of Health	Revision	§§24-4-103(6), 25-1.5-102, 25-1.5-103, and 25-3-103, C.R.S.	The changes are to implement the COVID-19 vaccination requirement in licensed healthcare facilities	November 17, 2021 or December 15, 2021	Licensees; families, clients and consumers; professional associations that represent licensed facilities	Anticipated November 17, 2021 or December 15, 2021
6 CCR 1014-5 Office of Health Equity Rules for the Health Disparities Grant Program	Colorado State Board of Health	Revision	§25-4-2203, C.R.S.	Revise the rules to incorporate SB21-181	December 15, 2021	Community organizations that work with vulnerable populations in Colorado	Anticipated December 15, 2021
Emergency Rulemaking 5 CCR 1006-2 Medical Use of Marijuana	Center for Health and Environmental Data/ Board of Health	Revision	Colorado Constitution, Article XVIII, Section 14 and §25-1.5-106, C.R.S.	Align 5 CCR 1006-2 with the changes in HB 21-1317	December 15, 2021	Medical marijuana registry customers which includes patients, prospective patients, parents, guardians, and legal representatives of patients, caregivers, and health care providers	Anticipated December 15, 2021

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 1006-2 Medical Use of Marijuana	Center for Health and Environmental Data/ Board of Health	Revision	Colorado Constitution, Article XVIII, Section 14 and §25-1.5-106, C.R.S.	Request a \$10 increase to the application processing fee, which will bring the total fee to \$35 effective Feb. 14, 2022	December 15, 2021	Medical marijuana registry customers which includes patients, prospective patients, parents, guardians, and legal representatives of patients, caregivers, and health care providers	Anticipated December 15, 2021
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 and 25-4-904, C.R.S.	This rulemaking will address needed modifications identified by OLLS	December 15, 2021	Staff in public and private schools, staff in licensed child cares, healthcare providers, CDE, CDHS CDHE, county, district or municipal public health agencies that rely on the rule to maintain their own businesses, agencies or operations, students enrolled in schools, their parents/legal guardians, and the public at large	Anticipated December 15, 2021

2021

Results of Mandatory Review of Rules



2021 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)
5 CCR 1001-10 - Control of Hazardous Air Pollutants	Air Pollution Control Division	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	January 2021	Y	N	N	January 21, 2021
6 CCR 1011-1 Chapter 6 - Acute Treatment Units	Health Facilities and Emergency Medical Services Division	§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.	January 2021	N	N	Y	Pending
6 CCR 1011-1 Chapter 9 - Community Clinics and Emergency Centers	Health Facilities and Emergency Medical Services Division	§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.	January 2021	Y	N	N	April 21, 2021
6 CCR 1007-1 Part 4 - Radiation Control - Standards for Protection Against Radiation	Hazardous Materials and Waste Management Division	§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.	February 2022	Y	Y	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)
5 CCR 1002-73 - Chatfield Reservoir Control Regulation	Water Quality Control Division	§25-8-205, C.R.S.	March 2021	Y	N	N	Pending
6 CCR 1007-1 Part 21 - Radiation Control - Colorado Low Income Radon Mitigation Assistance (LIRMA) Program	Hazardous Materials and Waste Management Division	§25-1-108, §25-1.5-101(1)(l), §25-11-104, §25-11-114, §25-16-104.5, and §25-16-104.6, C.R.S.	March 2021	Y	N	N	May 19, 2021
6 CCR 1011-1 Chapter 4 - General Hospitals	Health Facilities and Emergency Medical Services Division	§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.	April 2021	Y	Y	N	August 18, 2021
6 CCR 1011-1 Chapter 10 - Rehabilitation Centers	Health Facilities and Emergency Medical Services Division	§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.	April 2021	Y	Y	N	August 18, 2021

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6 CCR 1011-1 Chapter 18 - Psychiatric Hospitals	Health Facilities and Emergency Medical Services Division	§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.	April 2021	Y	Y	N	August 18, 2021
6 CCR 1011-1 Chapter 19 - Hospital Units	Health Facilities and Emergency Medical Services Division	§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.	April 2021	Y	Y	N	August 18, 2021
5 CCR 1001-8 - Standards of Performance for New Stationary Sources	Air Pollution Control Division	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	May 2021	Y	N	N	May 21, 2021
5 CCR 1001-10 - Control of Hazardous Air Pollutants	Air Pollution Control Division	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	May 2021	Y	N	N	May 21, 2021
5 CCR 1001-27 - Regional Haze Limits	Air Pollution Control Division	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	May 2021	Pending	Pending	Pending	Pending
5 CCR 1002-72 - Cherry Creek Reservoir Control Regulation	Water Quality Control Division	§25-8-202(1)(c) and §25-8-205, C.R.S.	May 2021	Y	N	N	Pending

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5 CCR 1002-86 - Graywater Control Regulation	Water Quality Control Division	§25-8-101 through §25-8-703, C.R.S.	May 2021	Y	N	N	Pending
5 CCR 1002-93 - Colorado's Section 303(D) List of Impaired Waters and Monitoring and Evaluation List	Water Quality Control Division	§25-8-202(1)(a), (b), (i), (2) and (6), §25-8-203, and §25-8-204, C.R.S.	May 2021	N	N	N	NA
6 CCR 1011-1 Chapter 21 - Hospices	Health Facilities and Emergency Medical Services Division	§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.	May 2021	Y	Y	N	Pending
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	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	July 2021	Y	N	N	July 16, 2021
5 CCR 1001-14 - Air Quality Standards, Designations and Emission Budgets	Air Pollution Control Division	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	July 2021	NA	NA	NA	Withdrawn

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5 CCR 1001-26 - Greenhouse Gas Reporting and Monitoring	Air Pollution Control Division	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	July 2021	Y	N	N	August 19, 2021
6 CCR 1007-1 Part 10 - Radiation Control - Notices, Instructions and Reports to Workers: Inspection	Hazardous Materials and Waste Management Division	§25-1.5-101(1)(1), §25-1-108(1)(c). and §25-11-104. C.R.S.	July 2021	Y	N	N	Pending
5 CCR 1002-23 - Regulation for State of Colorado Continuing Planning Process	Water Quality Control Division	§§25-8-202(2), 207(1)(c), and 703, C.R.S.	August 2021	Pending	Pending	Pending	Pending
5 CCR 1002-51 - Water Pollution Control Revolving Fund Rules	Water Quality Control Division	§25-8-202 (1)(e) and (g), C.R.S.	August 2021	N	N	N	NA
5 CCR 1002-52 - Drinking Water Revolving Fund	Water Quality Control Division	§25-1.5-203, C.R.S.	August 2021	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.	August 2021	N	N	N	NA
6 CCR 1011-1 Chapter 24 - Medication Administration Regulations	Health Facilities and Emergency Medical Services Division	§25-1.5-103, §25-1.5-301, et seq., and §25-1.5-302, C.R.S.	August 2021	Y	Y	N	Pending

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5 CCR 1001-8 - Standards of Performance for New Stationary Sources	Air Pollution Control Division	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	November 2021	Pending	Pending	Pending	Pending
5 CCR 1001-23 - The Control of Lead Hazards	Air Pollution Control Division	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	November 2021	Pending	Pending	Pending	Pending
5 CCR 1002-34 - Classifications and Numeric Standards for San Juan and Dolores River Basins	Water Quality Control Division	§25-8-203 and §25-8-204, C.R.S.	November 2021	Pending	Pending	Pending	Pending
5 CCR 1002-35 - Classifications and Numeric Standards for Gunnison and Lower Dolores River Basins	Water Quality Control Division	§25-8-203 and §25-8-204, C.R.S.	November 2021	Pending	Pending	Pending	Pending
5 CCR 1002-82 - 401 Certification Regulation	Water Quality Control Division	§25-8-202 and §25-8-205, C.R.S.	November 2021	Pending	Pending	Pending	Pending
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	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	December 2021	Pending	Pending	Pending	Pending

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5 CCR 1001-26 - Colorado Greenhouse Gas Reporting and Monitoring	Air Pollution Control Division	§24-4-103 and §25-7-110, §25-7-110.5 and §25-7-110.8, C.R.S.	December 2021	Pending	Pending	Pending	Pending
6 CCR 1007-2, Part 1, Section 5 - Asbestos Waste Management	Hazardous Materials and Waste Management Division	§30-20-109, C.R.S.	December 2021	Pending	Pending	Pending	Pending
6 CCR 1007-2, Part 1, Section 10 - Waste Tire Facilities and Waste Tire Haulers	Hazardous Materials and Waste Management Division	§30-20-1401(2), C.R.S.	December 2021	Pending	Pending	Pending	Pending
6 CCR 1007-3, Part 266 - Hazardous Waste - Colorado Financial Requirements	Hazardous Materials and Waste Management Division	§25-15-301, et.seq., C.R.S.	December 2021	Pending	Pending	Pending	Pending
6 CCR 1007-3, Part 99 - Hazardous Waste - Notification	Hazardous Materials and Waste Management Division	§25-15-301, et.seq., C.R.S.	December 2021	Pending	Pending	Pending	Pending
6 CCR 1007-3, Part 100 - Hazardous Waste - Permit Regulation	Hazardous Materials and Waste Management Division	§25-15-301, et.seq., C.R.S.	December 2021	Pending	Pending	Pending	Pending

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6 CCR 1007-3, Part 101 - Hazardous Waste - Department Compliance Advisories and Enforcement Actions	Hazardous Materials and Waste Management Division	§25-15-301, et.seq., C.R.S.	December 2021	Pending	Pending	Pending	Pending
5 CCR 1002-63 - Pretreatment Regulations	Water Quality Control Division	§25-8-202, §25-8-205, and §25-8-508, C.R.S.	December 2021	Pending	Pending	Pending	Pending