

2016

Regulatory Agenda



	Brief Description of Rule	Board or Commission	CCR Rule Number	Statutory Basis	Purpose	Anticipated Hearing Date**	Stakeholders
January 2016							
Air Pollution Control Division	Regulation 3 - Greenhouse Gas Permitting	Air Quality Control Commission	5 CCR 1001-5, Part A	§25-7-105(1)(a), (c), §25-7-201 -206, §25-7-210, §25-7-301 - 302, C.R.S.	Revise the definition of "subject to regulation" related to the permitting of greenhouse gases	January 21, 2016	Industrial sources and interested parties
February 2016							
Hazardous Materials and Waste Management Division	Definition of a solid waste	Solid and Hazardous Waste Commission	6 CCR 1007-3, Parts 260 & 261	§25-15-301, et seq., C.R.S	To update the hazardous waste definition of a solid waste based upon updated EPA definition	February 16, 2016	Facilities that generate or recycle hazardous secondary materials, NAICS Code 32 and Code 33 manufacturers
Hazardous Materials and Waste Management Division	Amendments to Part 100.10	Solid and Hazardous Waste Commission	6 CCR 1007-3, Part 100	§25-15-301, et seq., C.R.S	To update the scope of the RCRA permit requirement	February 16, 2016	Hazardous waste permit holders
Hazardous Materials and Waste Management Division	Corrections to Part 261.5	Solid and Hazardous Waste Commission	6 CCR 1007-3, Part 261	§25-15-301, et seq., C.R.S	Corrections to Part 261.5	February 16, 2016	Conditionally exempt small quantity generators of hazardous waste
Air Pollution Control Division	Regulation 10 - Transportation Conformity	Air Quality Control Commission	5 CCR 1001-12	§25-7-105(1)(a)(I), C.R.S.	Revise the definition of "routine conformity determination"	February 18, 2016	Transportation planning organizations, interested parties

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March 2016							
Health Facilities and Emergency Medical Services Division	Home Care Agency licensing	Board Of Health	6 CCR 1011-1 Chapter 26	§25-1.5-103, §25-1.5-108, §25-3-103, C.R.S.	Service agency conflicts and implementation of HB 14-1360	March 16, 2016	Licensed home care agencies and their consumers
Health Facilities and Emergency Medical Services Division	Long term care changes	Board Of Health	6 CCR 1011-1, Chapter V; conforming amendment to Chapter II	§25-1.5-103, §25-1.5-108, §25-3-103, C.R.S.	Modify definitions for licensed only facilities, amend drug disposal requirements, remove obsolete language and align with federal requirements	March 16, 2016	Long term care facilities and their consumers, Colorado Department of Health Care Policy and Financing
April 2016							
Northern Colorado Water Conservancy District, Town of Grand Lake, Grand County	Grand Lake clarity standard	Water Quality Control Commission	5 CCR 1002-33	§25-8-203, 204, and 205, C.R.S.	Consider revisions to the clarity standards for Grand Lake	April 11, 2016	Northern Colorado Water Conservancy District, Town of Grand Lake, Grand County, Bureau of Reclamation, U.S. Forest Service, Three Lakes Watershed Association, Western Area Power Administration, Midwest Electric Consumers, Colorado River District, USGS, Tri-State Generation and Transmission
Water Quality Control Division	Basic Standards for Groundwater	Water Quality Control Commission	5 CCR 1002-41	§25-8-202, 203, and 204, C.R.S.	Update statewide groundwater standards	April 11, 2016	SB 181 implementing agencies, dischargers to groundwater

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Center for Health and Environmental Data	Central Cancer Registry	Board Of Health	6 CCR 1009-3	§25-1.5-101(1)(q), §25-1-122, C.R.S.	Updates following EO2 review	April 20, 2016	Patients and their families, hospitals, diagnostic and treatment clinics, laboratories, physicians
Division of Environmental Health and Sustainability	Artificial Tanning Devices	Board Of Health	6 CCR 1010-20	§25-5-1006, C.R.S.	Updates following EO2 review	April 20, 2016	Tanning facilities and their consumers
Prevention Services Division	Reporting of Selected Causes of Morbidity and Mortality	Board Of Health	6 CCR 1009-8	§25-1.5-102, C.R.S.	Updates following EO2 review	April 20, 2016	This rule is obsolete and no longer relied upon by stakeholders or the Department.
May 2016							
Hazardous Materials and Waste Management Division	Annual Commission Fee	Solid and Hazardous Waste Commission	6 CCR 1007-3, Part 6	§25-15-314, C.R.S.	Amend SHWC fee to fund operation of the commission for Fiscal Year 2016-17	May 17, 2016	Treatment, storage, and disposal facilities, generators of hazardous waste, and transporters of hazardous waste
Hazardous Materials and Waste Management Division	Hazardous Waste Program Fees	Solid and Hazardous Waste Commission	6 CCR 1007-3, Part 100 and Part 262	§25-15-302, et seq., C.R.S.	Amend hazardous waste program fees	May 17, 2016	Treatment, storage, and disposal facilities, generators of hazardous waste

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Division of Environmental Health and Sustainability	Colorado Household Medication Take-Back Program	Solid and Hazardous Waste Commission	6 CCR 1010-23	§25-15-328, C.R.S.	Adopt new regulations governing the Household Medication Take-Back Program	May 17, 2016	Law enforcement agencies, pharmacies, health care providers, poison control centers, drug abuse prevention and treatment agencies, waste disposal contractors, pharmaceutical manufacturers, water/wastewater utilities, schools
Hazardous Materials and Waste Management Division	Notification Requirements	Solid and Hazardous Waste Commission	6 CCR 1007-3, Part 99	§25-15-301, et seq., C.R.S.	Update public notification requirements	May 17, 2016	Permitted entities
Disease Control and Environmental Epidemiology Division	Infant Immunization and Immunization of Students Attending School	Board Of Health	6 CCR 1009-2	§25-4-903, §25-4-904, C.R.S.	Annual ACIP update	May 18, 2016	Hospitals, local public health, health care providers, school administrators and health professionals
Air Pollution Control Division	Regulation Number 6 - Standards of Performance for New Stationary Sources	Air Quality Control Commission	5 CCR 1001-8	§24-4-103; §25-7-102, -105 to -109, and -114, C.R.S.	Incorporate by reference new and amended federal New Source Performance Standards into the commission's regulations	May 19, 2016	All owners and operators of industrial equipment subject to federal New Source Performance Standards, local and state agencies, industrial trade associations, citizen and environmental groups, and individual citizens

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Air Pollution Control Division	Regulation Number 8 - Control of Hazardous Air Pollutants	Air Quality Control Commission	5 CCR 1001-10	§24-4-103; 25-7-105 and -109, C.R.S.	Incorporate by reference new and amended federal National Emissions Standards for Hazardous Air Pollutants into the commission's regulations	May 19, 2016	All owners and operators of industrial equipment subject to these federal regulations, local and state agencies, industrial trade associations, citizen and environmental groups, and individual citizens
June 2016							
Water Quality Control Division	Basic Standards for Surface Water	Water Quality Control Commission	5 CCR 1002-31	§25-8-203 and 204, C.R.S.	Update Basic Standards; including revisions to the temperature standards	June 13, 2016	City and town government, energy companies, mining companies, water and sanitation districts, water quality planning agencies, watershed associations, environmental groups, federal agencies - USFWS, EPA, Colorado Parks and Wildlife
July 2016							
Hazardous Materials and Waste Management Division	Radiation Safety Requirements for Wireline Service Operations and Subsurface Tracer Studies	Board Of Health	6 CCR 1007-1 Part 16	§25-1-108, §25-1.5-101(1)(k), §25-1.5-101(1)(l), §25-11-104, C.R.S.	Technical update(s) required for NRC compatibility and alignment with current practice	July 20, 2016	Radioactive materials licensees performing well logging (~15 entities)

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Hazardous Materials and Waste Management Division	Licenses and Radiation Safety Requirements For Irradiators	Board Of Health	6 CCR 1007-1 Part 19	§25-1-108, §25-1.5-101(1)(k), §25-1.5-101(1)(l), §25-11-104, C.R.S.	Technical update(s) required for NRC compatibility and alignment with current practice	July 20, 2016	Radioactive materials licensees using irradiators (~3 entities), universities
Division of Environmental Health and Sustainability	Production and Sale of Tier Two Foods	Board Of Health	6 CCR 1010-15	§25-14-1614, C.R.S.	Standards regarding the production and sale of pickled vegetables with an equilibrium pH value of 4.6 or lower, HB 15-1102	July 20, 2016	Tier Two food producers, food safety advocates, local public health agencies and consumers
Health Facilities and Emergency Medical Services Division	Rehabilitative Nursing Facility	Board Of Health	6 CCR 1011-1, Chapter 17	§25-1.5-103, §25-3-103, C.R.S.	Repeal obsolete rule following EO2 review	July 20, 2016	Licensed facilitiesHos and their consumers
Health Facilities and Emergency Medical Services Division	Emergency Medical Services Data, Information Collection and Record Keeping	Board Of Health	6 CCR 1015-3 Chapter 4	§25-3.5-308, C.R.S.	Alignment with national standards and updates following EO2 review	July 20, 2016	Emergency Medical Services agencies
August 2016							
Hazardous Materials and Waste Management Division	Coal Combustion Residuals	Solid and Hazardous Waste Commission	6 CCR 1007-2, Part 1, New Section 19	§30-20-101.5, C.R.S.	Disposal and management of coal combustion residuals	August 16, 2016	New and existing solid waste landfills and impoundments

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Hazardous Materials and Waste Management Division	Composting	Solid and Hazardous Waste Commission	6 CCR 1007-2, Part 1, Section 14	§30-20-108(2), C.R.S.	Simplify the compost class structure and regulations	August 16, 2016	Solid waste landfill and compost facility owners, county and municipal governments
Water Quality Control Division	Drinking Water Regulations	Water Quality Control Commission	5 CCR 1002-11	§25-1.5-101 and Part 2; §25-1-109, 114, 114.1, and §25-8-202, C.R.S.	Revisions to revised total coliform rule in response to EPA review	August 8, 2016	Public drinking water systems, general public
Cherokee Metropolitan District	Site Specific Standards for Groundwater	Water Quality Control Commission	5 CCR 1002-42	§25-8-202, 203, and 204, C.R.S.	Consider relaxing the TDS standard at Cherokee Metro District's discharge location	August 8, 2016	Cherokee Metropolitan District, Upper Black Squirrel Creek Ground Water Management District, other metropolitan districts and water users, including agricultural users, in the area
Laboratory Services Division	Newborn Screening	Board of Health	5 CCR 1005-4	§25-4-802, §25-3-803, §25-4-1004, §25-4-1004.5, C.R.S.	Revisions to align with current practice and improve processes	August 17, 2016	Entities performing newborn screening, perinatal care providers, pediatricians, midwives, and their consumers

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Laboratory Services Division	Lab Testing for Alcohol & Other Drugs	Board Of Health	5 CCR 1005-2	§42-4-1304, C.R.S.	Updates to align with current practice	August 17, 2016	Law enforcement, Colorado Department of Revenue, District Attorneys' Counsel, Defense Bar
Air Pollution Control Division	Regulation Number 6 - Standards of Performance for New Stationary Sources	Air Quality Control Commission	5 CCR 1001-8	§24-4-103; §25-7-102, -105 to -109, and -114, C.R.S.	Incorporate by reference new and amended federal New Source Performance Standards into the commission's regulations	August 18, 2016	All owners and operators of industrial equipment subject to federal New Source Performance Standards, local and state agencies, industrial trade associations, citizen and environmental groups, and individual citizens
Air Pollution Control Division	Regulation Number 8 - Control of Hazardous Air Pollutants	Air Quality Control Commission	5 CCR 1001-10	§24-4-103; 25-7-105 and -109, C.R.S.	Incorporate by reference new and amended federal National Emissions Standards for Hazardous Air Pollutants into the commission's regulations	August 18, 2016	All owners and operators of industrial equipment subject to these federal regulations, local and state agencies, industrial trade associations, citizen and environmental groups, and individual citizens
September 2016							
Prevention Services Division	Tobacco Education, Prevention and Cessation Grant Program	Board Of Health	6 CCR 1015-5	§25-3.5-804(2), C.R.S.	Updates following EO2 review	September 21, 2016	Grantees, Local Public Health Agencies, community-based providers, prevention advocates, the Tobacco Review Committee

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Health Facilities and Emergency Medical Services Division	Emergency Medical Services Account	Board Of Health	6 CCR 1015-1	§25-3.5-604, C.R.S.	Updates following EO2 review	September 21, 2016	Local emergency medical and trauma service providers, the State Emergency Medical and Trauma Advisory Council
October 2016							
No scheduled hearings							
November 2016							
Health Facilities and Emergency Medical Services Division	Emergency Medical Services Practice and Medical Director Oversight	Executive Director	6 CCR 1015-3, Chapter 2	§25-3.5-206, C.R.S.	Practice changes recommended by the Emergency Medical Practice Advisory Council	November 14, 2016	Emergency Medical Services personnel and agencies
Hazardous Materials and Waste Management Division	Waste tire facilities, haulers and end user fund	Solid and Hazardous Waste Commission	6 CCR 1007-2, Part 1, Section 10	§30-20-1401, C.R.S.	Set the annual End User Fund rebate amount	November 15, 2016	Waste tire processors, tire monofills, end users, local governments, waste tire generators and haulers, tire manufacturers, landfills
Hazardous Materials and Waste Management Division	Beneficial Use of Water Treatment Sludge	Solid and Hazardous Waste Commission	5 CCR 1003-7	§25-15-316, C.R.S.	Repeal of obsolete regulation - beneficial use of water treatment sludge	November 15, 2016	Beneficial users of water treatment sludges
Hazardous Materials and Waste Management Division	Beneficial Use of Water Treatment Sludge	Solid and Hazardous Waste Commission	6 CCR 1007-2, Part 1, Sections 8 and 12	§25-15-316, C.R.S.	Make conforming changes with repeal of 5 CCR 1003-7	November 15, 2016	Beneficial users of water treatment sludges

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Health Facilities and Emergency Medical Services Division	Licensure Standards, General Hospitals, Long Term Care Facilities, Facilities for Persons with Developmental Disabilities, Community Clinics and Community Clinics and Emergency Centers, Rehabilitation Centers, Dialysis Treatment Clinics, Rehabilitative Nursing Facilities, Psychiatric Hospitals, Hospital Units, Ambulatory Surgical Centers and Ambulatory Surgical Centers with a Convalescent Center, Hospices, Birth Centrs, Home Care Agencies	Board Of Health	6 CCR 1011-1 Chapters 2, 4, 5, 8-10, 15, 18-22, 26	§25-1.5-103, §25-1.5-108, §25-3-103, C.R.S.	Technical edits, fee modifications and fiscal practice changes.	November 16, 2016	Licensed healthcare entities and their consumers
Hazardous Materials and Waste Management Division	Radiation Control: X-Rays in the Healing Arts	Board Of Health	6 CCR 1007-1 Part 6	§25-1-108, §25-1.5-101(1)(k), §25-1.5-101(1)(l), §25-11-104, C.R.S.	Updates consistent with suggested state regulations, stakeholder and program requested needs/updates	November 16, 2016	Registered medical facilities using x-ray machines

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	Brief Description of Rule	Board or Commission	CCR Rule Number	Statutory Basis	Purpose	Anticipated Hearing Date**	Stakeholders
Water Quality Control Division	Operator Certification Requirements	Water and Wastewater Facility Operators Certification Board	5 CCR 1003-2	§25-9-101 through 110, C.R.S.	Updates to match statutory exemption language, address requirements for training unit renewals, eliminate adjudicatory hearing requirement for reclassification of a facility, other modifications for consistency and clarification	November 29, 2016	Water and wastewater treatment operators and facilities
December 2016							
Water Quality Control Division	Classifications and Numeric Standards for River Basins Statewide	Water Quality Control Commission	5 CCR 1002-32 through 38	§25-8-202, 203, and 204, C.R.S.	Annual review of temporary modifications	December 12, 2016	City and town government, energy companies, mining companies, water and sanitation districts, water quality planning agencies, watershed associations, environmental groups, federal agencies - USFWS, EPA, Colorado Parks and Wildlife