

Summary of Proposed Changes
Rules and Regulations Concerning Claims for Reimbursement
for the Costs of Response and Mitigation of Hazardous Substance Incidents
8 CCR 1507-22

Purpose:

This document is developed as a companion to assist with the reading and understanding of the proposed changes to 8 CCR 1507-22, the Rules and Regulations Concerning Claims for Reimbursement for the Costs of Response and Mitigation of Hazardous Substance Incidents. Each of the changes proposed in the redlined rules will be filed with the Colorado Secretary of State and the Colorado Department of Regulatory Agencies by December 15, 2025, and is discussed in the order in which they appear. Changes are identified by section numbers and include brief descriptions of the proposed changes. As necessary and appropriate, an explanation for the change is also provided.

Accessibility Editing Note:

The redlined rules include formatting updates, corrections, and minor edits that do not affect the content or meaning of the rules. Still, they are proposed to satisfy the state accessibility standards under Section 24-34-802, CRS. These adjustments specifically include changing capitalized text to mixed-case or lowercase, removing underlining, increasing font size, using words instead of symbols, enabling hyperlink text, and modifying paragraph structure to support electronic bookmarking for readers.

The CSP Hazardous Materials Section is dedicated to supporting effective communication and providing access to these rules for all members of the public. If you have difficulty or cannot use this document, please visit <https://publicsafety.colorado.gov/accessibility-interpretation-and-transpilation-support> or contact the CSP Hazardous Materials Section at (303)-273-1900 for further assistance.

Disclaimer:

This draft will be filed with the Colorado Department of State and submitted to the Department of Regulatory Agencies in accordance with Sections 24-4-103 (2.5) and (3)(a), CRS, of the Administrative Procedures Act, no later than December 15, 2025. This preliminary draft may be revised before the public rulemaking hearing on Thursday, January 29, 2026. If any changes are made, a revised version of the rules and any supporting documents (such as this companion document) will be available to the public and posted online on the Colorado Department of Public Safety Rulemaking Information website at <https://publicsafety.colorado.gov/cdps-rules-colorado-code-of-regulations>. Any updates or revisions will be provided as required by Sections

24-4-103 (4)(a), CRS, and posted to the Colorado Department of Public Safety rulemaking information website no later than Friday, January 23, 2026.

Description of Changes Proposed, in Order of Appearance:

Page 1, Table of Contents (TOC):

The TOC is a new addition and appears in **red text**. It outlines these rules by section and helps users navigate the document efficiently. Although not required, including a TOC in longer documents is considered a best practice supported by the state accessibility rules and Section 24-34-802, CRS. The TOC is beneficial to all readers viewing the rules electronically, and it is helpful to the public using e-reading programs.

Page 2, 1.1.2., Reorganization of existing definition to correct an error in alphabetization.

The definition of “Department” has been moved from 1.1.3 to 1.1.2 to fix an error in the alphabetical order of the definitions. The existing definition under 1.1.2, “Direct Costs,” is reassigned to 1.1.4. Updated, 1.1.2 now states “**Department: Means the Colorado Department of Public Safety (CDPS),**” instead of “Direct Costs: Include those costs specifically incurred as a result of responding to and/or mitigating a hazardous substance incident. Direct costs may include use/damage; vehicle use and/or damage; expenditure of response/mitigation supplies; use of contract services; laboratory testing; and disposal and/or storage of hazardous materials/substances.”

Page 2, 1.1.3, Reorganization of existing definition to correct an error in alphabetization.

The definition of “Designated Emergency Response Authority (DERA)” is moved from 1.1.4 to 1.1.3 to fix an error in the alphabetical order of the definitions. The existing definition under 1.1.3, “Department,” is already proposed for reassignment to 1.1.2. Updated, 1.1.3 now reads, “**Designated Emergency Response Authority (DERA): Has the same meaning as set forth within Section 29-22-102, CRS,**” instead of “Department: Means the Colorado Department of Public Safety (CDPS).”

Page 3, 1.1.4, Reorganizes the existing definition to fix an alphabetization error.

The definition of “Direct Costs” has been moved from 1.1.2 to 1.1.4 to fix an error in the alphabetical order of the definitions. The current definition under 1.1.4, Designated Emergency Response Authority (DERA), is already proposed for reassignment to 1.1.3. Updated, 1.1.4 now reads “**Direct Costs: Include those costs specifically incurred as a result of responding to and/or mitigating a hazardous substance incident. Direct costs may include use/damage; vehicle use and/or damage; expenditure of response/mitigation supplies; use of contract services; laboratory testing; and disposal and/or storage of hazardous materials/substances,**” instead of “Designated Emergency Response Authority (DERA): Has the same meaning as set forth within Section 29-22-102, CRS.”

Page 6, HSCR 7.1.1.1, Publication date and website address update.

The publication date for the Federal Emergency Management Agency schedule of equipment rates referenced by the rules must be updated to the version available in the current Code of Federal Regulations (CFRs). The website address to access the schedule online must also be corrected. Updated, HSCR 7.1.1.1 reads “Federal Emergency Management Agency, Department of Homeland Security, 44 CFR 206.228 (**2025**). The amortization/depreciation schedule of equipment rates is available online through the FEMA website at:

<https://www.FEMA.gov/assistance/public/tools-resources/schedule-equipment-rates>.

Page 6, HSCR 7.1.2.2.1, website address update.

The website address in the fifth sentence of HSCR 7.1.2.2.1 needs to be corrected. Updated, the website reads “<https://www.FEMA.gov/assistance/public/tools-resources/schedule-equipment-rates>.”

Page 6, HSCR 7.1.4, website address updates.

The website addresses for the CSP Hazardous Materials reimbursement program and the CDPS Rulemaking Information websites need correction. Updated, HSCR 7.1.4 reads “These rules are available online through the CSP Hazardous Materials section webpage at

<https://csp.colorado.gov/reimbursement-program> and the CDPS Rulemaking Information webpage, <https://publicsafety.colorado.gov/cdps/rules-colorado-code-of-regulations>.