

**DEPARTMENT OF PUBLIC SAFETY  
COLORADO STATE PATROL**

**RULES AND REGULATIONS CONCERNING  
CLAIMS FOR REIMBURSEMENT FOR THE COSTS OF  
RESPONSE AND MITIGATION OF HAZARDOUS SUBSTANCE INCIDENTS**

**STATEMENT OF BASIS, STATUTORY AUTHORITY, AND PURPOSE**

Pursuant to §29-22-104 (6) (A), CRS, the Executive Director of the Colorado Department of Public Safety will promulgate rules creating a process by which a public entity, political subdivision of the state, or unit of local government claiming reimbursement pursuant to this section must establish that costs attributed to a hazardous substance incident are reasonable, necessary, and documented.

Pursuant to §29-22-104 (6) (B), CRS, the Executive Director of the Colorado Department of Public Safety will also promulgate rules and regulations create a process by which the parties involved in a dispute may access and receive assistance from qualified, knowledgeable persons able to perform the role of a voluntary ombudsman, mediator, or arbitrator to resolve disputed claims for the reimbursement of cost resulting from response to a hazardous substance incident.

These rules are being amended as a consequence of routine department rule review to assess continued viability, applicability, accuracy, and effectiveness of these rules. As a consequence of this review, proposed changes include:

- Updates to websites applicable to federal and state information;
- Updates to the formatting of these rules in their entirety, introducing section and subparagraph titles and formatting elements consistent with general rule formatting recommendations and guidance from the Colorado Secretary of State;
- Updates to existing definitions applicable to these rules;
- Updates regarding the process of requesting copies of documents, referencing the Colorado State Patrol Central Records Unit; and
- Introducing a severability clause into these rules.

It has been declared by the General Assembly that the creating and establishing of these processes for hazardous incident response reimbursement claims is a matter of statewide concern. The absence of implementing rules to carry out the purpose of the statutes is contrary to the peace, health, safety, and welfare of the citizens of Colorado. For these reasons, it is necessary that these rule amendments be adopted.



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Stan Hilkey, Executive Director  
Colorado Department of Public Safety

February 4, 2022

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Date of Adoption