

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

Under §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 according to this statutory section must and can establish that costs attributed to a hazardous substance incident are reasonable, necessary, and documented.

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

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

- Updated federal website and document reference information relevant to the calculation of reimbursable expenses resulting from hazardous incident response;
- Updated formatting to resolve incongruities in section and paragraph titling and numbering; and
- Corrections to grammar and updating of verbiage to improve the overall clarity of these rules, not affecting their existing interpretation or changing their substantive content.

It has been declared by the General Assembly that the creation and establishment of these processes supporting hazardous incident response reimbursement claims is a matter of statewide concern. The absence of rules to carry out the purpose of these statutes is contrary to the peace, health, safety, and welfare of the citizens of Colorado. For these reasons, it is necessary that these rules, as here amended, be adopted.



Stan Hilkey, Executive Director
Colorado Department of Public Safety

1/19/2023

Date of Adoption