

**PROPOSED STATEMENT OF BASIS AND PURPOSE FOR AMENDMENTS TO  
THE DIVISION OF OIL AND PUBLIC SAFETY STORAGE TANK  
REGULATIONS, 7 CCR 1101-14**


**BASIS:** The State Administrative Procedure Act (APA) mandates that certain information regarding access to any incorporated material must be contained in any rules that incorporate such material by reference. The amendments to these rules include references for codes, documents or standards that have existed in prior editions of the rule. The amendments ensure that the Rules are in compliance with State statutes. The amendments to these rules are being promulgated under the Division's authority pursuant to Title 8 Article 20.5 §202 and §302 of the Colorado Revised Statutes.


**PURPOSE:** These proposed amendments will update, revise, or clarify previous Division of Oil and Public Safety Regulations. The revisions identify and clarify procedures and requirements for release investigations and establish risk-based due dates for reports.

The amendments address the following article:

- Article 5 Release Response and Corrective Action updates requirements for the Site Summary Form and extends the due date for the Site Summary Form to 60 days. Additionally, due dates for Site Characterization Reports will be based on the results reported in the Site Summary Form with higher risk sites having shorter due dates for submission of the Site Characterization Report. Finally, due dates for Corrective Action Plans will be based on the date the Corrective Action Plan is requested rather than the release date since the risk-based due date for the Site Characterization Report would necessitate variable due dates for the Corrective Action Plan.

Pursuant to §24-4-103(4)(b), C.R.S., the Director finds that: 1) there is a demonstrated need for the rule amendments; (2) the proper statutory authority exists for this regulation; (3) to the extent practicable, the rules are clearly stated so that their meaning will be understood by any party required to comply with the regulation; (4) the rules do not conflict with other provisions of law; and (5) the duplicating or overlapping of the regulation is explained by the agency adopting the rules.

  
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Paul Tauriello  
Director  
Division of Oil and Public Safety

  
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Date