

1 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

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3 **Solid and Hazardous Waste Commission**

4 **Hazardous Materials and Waste Management Division (HMWMD)**

5 **6 CCR 1007-2**

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8 **STATEMENT OF BASIS AND PURPOSE**
9 **AND SPECIFIC STATUTORY AUTHORITY FOR**

10 **Amendment of Regulations Pertaining to Solid Waste Sites and Facilities (6 CCR 1007-2**
11 **Part 1) – Correction of Typographical Errors and Outdated References**

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13 **Basis and Purpose**

14 These amendments to 6 CCR 1007-2, Part 1 are made pursuant to the authority granted to the
15 Solid and Hazardous Waste Commission in Sections 25-15-302(4.5) and 30-20-109, C.R.S.

16 **Discussion of Regulatory Proposal**

17 These amendments correct typographical errors and outdated references that exist in the
18 Colorado Regulations Pertaining to Solid Waste Sites and Facilities (6 CCR 1007-2). The
19 amendments being adopted at this time include the following:

20 1) Revision of the definition of “Ground water protection standard” in Section 1.2 of the
21 Regulations. The reference to “5 CCR 1002-8” is being replaced with a reference to the
22 current location of the Water Quality Control Commission regulations at “5 CCR 1002”. The
23 Water Quality Control Commission regulations previously found at 5 CCR 1002-8 (Surface
24 Water/Classification and Numeric Standards for River Basins/Ground Water) were divided
25 into 5 CCR 1002-31 through 1002-42 when separate classifications and numeric standards
26 were adapted for the various river basins in Colorado.

27 2) Revision of Section 1.9.2 (Enforcement) and Section 1.9.4 (Judicial Enforcement Actions).
28 Paragraph (F) of Section 1.9.2 and Paragraph (B) of Section 1.9.4 are being amended to
29 reflect the maximum penalty amount that may be assessed for violation of Colorado solid
30 waste disposal requirements, in accordance with Section 30-20-113(5) of the Colorado Solid
31 Wastes Disposal Sites and Facilities Act. The penalty amount was increased from \$2,000 to
32 \$10,000 by HB09-1056. Paragraph (F) of Section 1.9.2 is also being amended to clarify that
33 Section 30-20-113(5) authorizes a compliance order issued by the Division to include an
34 administrative or civil penalty.

35 3) Revision of Section 5.5.7. Paragraph (E)(2)(e)(ii) of Section 5.5.7 is being amended to
36 replace the incorrect reference to section “5.5.7(E)(2)” with the correct reference to
37 “5.5.7(E)(3)” regarding the requirement for “downwind floating samples”.

38 4) Revision of Section 7.7.2. Paragraph (B)(4) is being amended by replacing “allowing”
39 with “allowed”.

40 5) Revision of Section 9.3.5. Paragraphs (H) and (I) in Section 9.3.5 are being
41 renumbered as paragraphs (F) and (G).