

1 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

2 **Solid and Hazardous Waste Commission/Hazardous Materials and**
3 **Waste Management Division**

4 **6 CCR 1007-7**

5 **PART 1 - ENVIRONMENTAL RECORD SEARCHES**

6
7
8 **Repeal of the Regulations pertaining to Environmental Record Searches (6 CCR**
9 **1007-7, Part 1)**

10
11
12 **1) 6 CCR 1007-7, Part 1 (Environmental Record Searches) is being repealed in its**
13 **entirety as follows:**

14
15 ~~**PART 1 ENVIRONMENTAL RECORD SEARCHES**~~

16
17 ~~**1.1 Definitions.**~~

18
19 ~~For purpose of these regulations:~~

20 ~~(a) "Division" means the Hazardous Materials and Waste Management Division.~~

21 ~~(b) "Environmental record search" means a search of environmental information and databases~~
22 ~~available to the Division concerning real property initiated by a requestor.~~

23 ~~(c) "Requestor" means a person or entity that has requested the Division to perform an~~
24 ~~environmental record search.~~

25
26 ~~**1.2 Fees Charged.**~~

27 ~~(a) The Division may charge a requestor the actual reasonable costs incurred, not to exceed \$25.00 per~~
28 ~~hour for researching, reviewing and/or providing an environmental record search report. The Division~~
29 ~~shall bill the requestor by the quarter hour. In addition, the Division may charge the same fee for~~
30 ~~subsequent requests for the same or similar information. The fee in this subparagraph (a) may be~~
31 ~~waived or reduced by the Division if the information is to be used for a public purpose, including public~~
32 ~~agency program support, nonprofit activities, journalism or academic research.~~

33 ~~(b) The Division shall notify the requestor when the environmental record search report is complete and~~
34 ~~payment shall be made to the "Colorado Department of Health".~~

1 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

2
3 **Solid and Hazardous Waste Commission**

4 **Hazardous Materials and Waste Management Division**

5 **6 CCR 1007-7**

6
7
8 **STATEMENT OF BASIS AND PURPOSE**
9 **AND SPECIFIC STATUTORY AUTHORITY FOR**
10

11 **Repeal of 6 CCR 1007-7, Environmental Records Search**

12
13 **Basis and Purpose**

14 This amendment to repeal 6 CCR 1007-7 is made pursuant to the authority granted to the Solid
15 and Hazardous Waste Commission in § 25-15-302, C.R.S.

16 These regulations are in contradiction to the Colorado Open Records Act (CORA) and if retained
17 would need to be amended to be consistent with CORA. However, after investigation and
18 review with the Division, these regulations were determined to be outdated and no longer
19 utilized or enforced. As CORA outlines a specific procedure for records searches, these rules are
20 redundant and the Division is requesting that they be repealed.