



COLORADO

Water Quality
Control Commission

Department of Public Health & Environment

NOTICE OF WRITTEN-COMMENT-ONLY PUBLIC RULEMAKING HEARING BEFORE THE COLORADO WATER QUALITY CONTROL COMMISSION

SUBJECT:

For consideration of adoption of revisions to Regulation #55, State Funded Water and Wastewater Infrastructure Programs (5 CCR 1002-55). Revisions proposed by the Water Quality Control Division, along with a proposed Statement of Basis, Specific Statutory Authority and Purpose, are attached to this notice as Exhibit 1.

In this attachment, proposed new language is shown with underlining and proposed deletions are shown with ~~strikeouts~~. Any alternative proposals related to the subject of this hearing will also be considered.

SCHEDULE OF IMPORTANT DATES

Proponent's Prehearing Statement Due	1/8/2025 5:00 pm	Additional information below
Responsive Comments Due	1/29/2025 5:00 pm	Additional information below
Rulemaking Deliberations	2/10/2025 9:00 am	Remote via Zoom Or Sabin Cleere Conference Room Department of Public Health and Environment 4300 Cherry Creek Drive South Denver, CO 80246

HEARING SUBMITTALS:

For this hearing, the commission will receive all submittals electronically. Submittals must be provided as PDF documents, except for raw data exhibits which may be provided as Excel workbooks. Submittals may be emailed to cdphe.wqcc@state.co.us, provided via an FTP site, or otherwise conveyed to the commission office so as to be received no later than the specified date.

PARTY STATUS:

Pursuant to section 21.3.C.5 and Section 21.3.D. of the commission's Procedural Rules, there shall be no party status for this rulemaking proceeding.

WRITTEN COMMENTS:

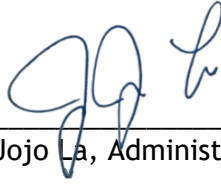
The commission encourages input from interested members of the public. Written comments should be emailed to cdphe.wqcc@state.co.us by 5:00 pm on 2/5/2025.

SPECIFIC STATUTORY AUTHORITY:

The provisions of sections 25-1.5-202; 25-8-202(1)(n); and 25-8-401 C.R.S. provide the specific statutory authority for consideration of the regulatory amendments proposed by this notice. Should the commission adopt the regulatory language as proposed in this notice or alternative amendments, it will also adopt, in compliance with section 24-4-103(4) C.R.S., an appropriate Statement of Basis, Specific Statutory Authority, and Purpose.

Dated this 5th day of November, 2024 at Denver, Colorado.

WATER QUALITY CONTROL COMMISSION

A handwritten signature in blue ink, appearing to read 'Jojo La', is written over a horizontal line.

Jojo La, Administrator

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Water Quality Control Commission

REGULATION NO. 55 – STATE FUNDED WATER AND WASTEWATER INFRASTRUCTURE PROGRAMS

5 CCR 1002-55

55.1

AUTHORITY, SCOPE AND PURPOSE

(1) Water Quality Improvement Fund

House Bill 06-1337 created the Water Quality Improvement Fund codified in section 25-8-608, C.R.S., of the Colorado Water Quality Control Act. House Bill 11-1026 amended the statute to authorize grants for stormwater management training and best practices training to prevent or reduce the pollution of state waters. Section 25-8-608(1.7)(c), C.R.S. provides the Water Quality Control Commission (“commission”) with the authority to promulgate, implement and administer this regulation.

Funding is dependent upon annual appropriations by the Colorado General Assembly and is based on violations that were committed on or after May 26, 2006. The resulting penalties collected by the Water Quality Control Division (“division”) are transmitted to the state treasurer for deposit to the credit of the fund.

The purpose of the fund is to improve water quality in Colorado by providing grant funds for water quality improvement projects and stormwater management training and best practices using civil penalties from water quality violations.

(2) Natural Disaster Grant Fund

House Bill 14-1002 created the Natural Disaster Grant Fund to be codified in section 25-8-608.7, C.R.S. – concerning the establishment of a grant program under the Colorado Water Quality Control Act to repair water infrastructure impacted by a natural disaster. The purpose of the fund is to award grants to local governments, including local governments accepting grants on behalf of and in coordination with not-for-profit public water systems, under rules promulgated by the commission for the planning, design, construction, improvement, renovation or reconstruction of domestic wastewater treatment works and public drinking water systems that have been impacted, damaged or destroyed in connection with a natural disaster, as defined in section 24-33.5-703(3), C.R.S. The division may also award grants to local governments to assist with the repair and restoration of on-site wastewater treatment systems as defined in section 25-10-103(12), C.R.S., that have been impacted, damaged, or destroyed in connection with a natural disaster. The division may only award grants to be used in counties for which the governor has declared a disaster emergency by executive order or proclamation under section 24-33.5-704, C.R.S.

Section 25-8-608.7(3), C.R.S. provides the ~~Water Quality Control Commission~~ commission with the authority to promulgate rules necessary to implement and administer the Natural Disaster Grant Fund.

(3) Small Communities Water and Wastewater Grant Fund

Senate Bill 14-025 revised and consolidated the Small Communities Water and Wastewater Grant Fund to be codified in section 25-1.5-208, C.R.S. – concerning the establishment of a grant program under the Colorado Water Quality Control Act to assist suppliers of water and domestic wastewater treatment works that serve a population of not more than five thousand people with

meeting their responsibilities with respect to the protection of public health and water quality.

Continuous funding for the Small Communities Water and Wastewater Grant Fund is provided ~~in section 39-29-109(2)(a)(III) C.R.S.~~, through money transferred to the fund pursuant to section 39-29-109(2)(a)(~~IV~~)(III), C.R.S., and any other moneys transferred to the fund by the General Assembly. ~~Moneys~~ Money for the fund originates s from the severance tax trust perpetual base fund, up to \$10 million, and will be applied to both drinking water projects and wastewater projects.

Section 25-1.5-208(2), C.R.S. provides the commission with the authority to promulgate rules necessary to implement and administer the Small Communities Water and Wastewater Grant Program.

55.2 DEFINITIONS

- (1) "Beneficial Use" - means the use of water treatment plant sludge in conjunction with wastewater treatment plant sludge to act as a soil conditioner or low grade fertilizer for the promotion of vegetative growth on land and that meets the requirements ~~of state Biosolids Regulation under Regulation #64 (5 CCR 1002-64), Colorado's biosolids regulation.~~
- (2) "Best Management Practices" - means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of "state waters". Best Management Practices also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
- (3) "Consolidation" - means a proposed new construction or expansion of a drinking water supply system that will eliminate one or more existing water supply or treatment works. A letter of intent or a resolution adopted by the project participants must be provided to the division to guarantee the facilities will consolidate.
- (4) "Governmental Agency" – means any municipality, regional commission, county (or county on behalf of unincorporated areas), metropolitan district offering sanitation service, sanitation district used for funding a domestic wastewater treatment works project, water and sanitation district, water conservancy district, metropolitan sewage disposal district, other special district used for funding a project under this regulation.
- (5) "Impacted Water Body" – means a water body in which the designated use(s) of recreation, aquatic life, water supply, agriculture, and/or wetlands have been affected by pollutants associated with a violation of the Act, permit, control regulation, or final cease and desist order or clean-up order.
- (6) "Nonpoint source" – means a diffused pollution source that is not regulated as a point source, including, but not limited to, sources that are often associated with agriculture, inactive or abandoned mining, silviculture, urban runoff, or runoff from construction activities. Nonpoint source pollution does not emanate from a discernible, confined, and discrete conveyance (such as a single pipe) but generally results from land runoff, precipitation, atmospheric deposition, or percolation.
- (7) "Pollution" – means the man-made, man-induced, or natural alteration of the physical, chemical, biological, and radiological integrity of water.
- (8) "Public water system" - means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. A public water system is either a community water system or a non-community water system. Such term does not include any special irrigation district. Such term includes: (a) Any collection, treatment, storage, and distribution facilities under control of the supplier of such system and used primarily in connection with such system-~~i~~ (b) Any collection or pretreatment storage facilities not under such control, which are used primarily in connection with such system.
- (9) "Waterborne Disease Outbreak" – means the significant occurrence of acute infectious illness,

epidemiologically associated with the ingestion of water from a public water system which is deficient in treatment, as determined by the appropriate local or State agency.

55.3 WATER QUALITY IMPROVEMENT FUND CRITERIA

(1) Entity Eligibility

Entities eligible for grants in Categories 1 ~~through~~ 4 include: 1) governmental agencies; 2) publicly owned water systems; 3) private not-for-profit public water systems; 4) not-for-profit watershed groups; 5) not-for-profit stormwater program administrator in accordance with [section 25-8-802 C.R.S.](#); 6) not-for-profit training provider; and 7) private landowners impacted by a water quality violation.

Entities who pay a Colorado Water Quality Control Act civil penalty are prohibited from receiving a grant from this fund for a period of 5 years from the date of the payment of the penalty.

(2) Project Eligibility

As provided for under section 25-8-608(1.7)(a), C.R.S., the fund will provide grants to the following project categories:

Category 1 – Stormwater management training and best management practices training to reduce the pollution of state waters.

Category 2 - Projects that improve the water quality in the community or water body which has been impacted by a water quality violation that resulted in a penalty being imposed.

Category 3 – Planning, design, construction, or repair of stormwater projects and domestic wastewater treatment facilities identified on the current fiscal year's Water Pollution Control Revolving Fund Intended Use Plan.

Category 4 - Nonfederal match funding for the current fiscal year's nonpoint source projects as approved by the commission.

(3) Funding Allocation

All civil penalties collected by the division shall be transmitted to the state treasurer for deposit to the credit of the fund created by section ~~25-8-502~~[25-8-608\(1.5\)](#), C.R.S. for violations committed on or after May 26, 2006 and shall be subject to annual appropriations by the Colorado General Assembly. The division will post on its web page a list of violators that have paid into the Water Quality Improvement Fund. The following allocations from the fund will be made:

Category 1 –The division will allocate up to \$300,000 of available funds with no one project initially receiving more than \$100,000. If the entire \$300,000 has not been fully utilized, the division will allocate the remaining Category 1 funds within the year per its prioritization procedures to eligible Category 1 project(s) which may result in certain projects ultimately receiving more than ~~\$300,000~~\$100,000.

Category 2 – 10% of available funds following allocations to Category 1 projects.

Category 3 – 60% of available funds following allocations to Category 1 projects; no one project can receive more than 25% of the available funds allocated to this category.

Category 4 – 30% of available funds following allocations to Category 1 projects.

For Categories 1 ~~through~~ 4, any funds not utilized in one category will be redistributed among the remaining categories based on their relative percentage of funding.

The division will retain five percent (5%) of the moneys allocated annually to the fund to cover the cost of administering Categories 1 ~~through~~ 4.

Funds may be carried over from previous years' appropriations and reallocated based upon the above distribution on an annual basis.

(4) Project Prioritization Criteria

If the fund lacks sufficient funds to cover all requests within each category, Priority 1 projects will be funded prior to Priority 2 projects, which will be funded prior to Priority 3 projects, which will be funded prior to Priority 4 projects. If it is determined that there are insufficient funds, further prioritization criteria will be applied as identified under each category in this section. The division may reallocate funding among categories based upon lack of requests or eligible projects within any category.

Criteria for funding project proposals within each category as described in Section 55.3 are as follows:

Category 1 – stormwater management training and best management practices training to reduce the pollution of state waters.

Priority 1 – Projects that implement stormwater management and best management practices training not previously available in Colorado, or previously limited in accessibility.

Priority 2 – Projects that will expand the content or availability of existing stormwater management and best management practices training.

Priority will be given to training providers that can demonstrate that training content will be relevant to implementation in Colorado with regard to Colorado's hydrology, climate and water rights, as applicable.

Priority will also be given to training providers that provide no- or low-cost training.

Additional prioritization criteria will include the expected water quality benefits, total population receiving training, availability of match, and readiness to proceed. Specific points available in each of these categories and tie breaking criteria will be included as an attachment to the request for application.

Category 2 - Projects that improve the water quality in the community or water body which has been impacted by a water quality violation.

Priority 1 – Projects that address impacts to a water supply designated use.

Priority 2 – Projects that address impacts to a recreation designated use.

Priority 3 – Projects that address impacts to an aquatic life designated use.

Priority 4 – Projects that address impacts to an agricultural or wetlands designated use.

Additional prioritization criteria will include financial/affordability, water quality benefits, permit compliance, readiness to proceed, and availability of match~~ing funds~~. Specific points available in each of these categories and tie breaking criteria will be included as an attachment to the request for application.

Category 3 - Planning, design, construction, or repair of stormwater projects and domestic wastewater treatment facilities identified on the current fiscal year's Water Pollution Control Revolving Fund Intended Use Plan.

Priority 1 – Projects that improve water quality in the community or water body impacted by a violation.

Priority 2 – Planning, design, construction, or repair of stormwater

projects.

Priority 3 – Projects identified on the current Water Pollution Control Revolving Fund Intended Use Plan.

Additional prioritization criteria will include financial/affordability, water quality benefits, permit compliance, readiness to proceed, and availability of matching funds. Specific points available in each of these categories and tie breaking criteria will be included as an attachment to the request for application.

Category 4 - Nonfederal match funding for nonpoint source projects.

Priority 1 – Projects that reduce or eliminate water quality impairments identified in Regulation #93 (5 CCR 1002-93), Colorado's Section 303(d) List.

Priority 2 – Projects that protect any established designated water quality use.

(5) Notification and Reporting

Applications for all of the Categories will be noticed and accepted by the division after the division determines availability of appropriation. For Categories ~~1 thru 2~~ and 3, applicants will be responsible for demonstrating the impacts of the violation on the affected water body or community, and the related water quality improvement project benefits. The division will accept applications for Category 4 projects in accordance with the annual nonpoint source project schedule. The division will evaluate all applications and determine the grant award(s) for each category based on the criteria in the Entity Eligibility Section, Project Eligibility Section, Funding Allocation Section and Project Prioritization Section.

Grant recipients for Categories 1 ~~thru~~through 4 will provide a final project report within 60 days of completion of the project. Final project reports shall include a detailed description of the project as implemented, all problems encountered and the solutions thereto, itemized project costs, a declaration that the project has been fully implemented as approved, and a description of the environmental and public health benefits resulting from implementation of the project. Information on the grant recipients, including project description and grant award, will be reported in the division's Annual Report to the commission, in accordance with section 25-8-305, C.R.S.

55.4 NATURAL DISASTER GRANT FUND CRITERIA

(1) Entity Eligibility

- (a) Local governments defined as governmental agencies in section 55.2 that own and operate domestic wastewater treatment works and public drinking water systems in a designated disaster emergency county by an executive order or proclamation under section 24-33.5-704, C.R.S.
- (b) Local governments accepting grants on behalf of and in coordination with not-for-profit public drinking water systems- in a designated disaster emergency county by an executive order or proclamation under section 24-33.5-704, C.R.S.
- (c) Local governments assisting with the repair and restoration of on-site wastewater treatment systems as defined in section 25-10-103(12), C.R.S. in a designated disaster emergency county by an executive order or proclamation under section 24-33.5-704, C.R.S.

(2) Project Eligibility

- (a) Domestic wastewater treatment works, public drinking water systems and on-site wastewater treatment systems that have been impacted, damaged or destroyed in connection with ~~the September 2013 flood, or future~~ declared disaster emergencies.
- (b) Projects for the planning, design, construction, improvement, renovation or reconstruction of domestic wastewater treatment works or public drinking water systems that have been impacted,

damaged or destroyed in connection with ~~declared disaster emergencies. the September 2013 flood.~~

- (c) Grant moneys under this section may be used as matching funds required to secure any other state and federal funding for the planning, design, construction, improvement, renovation or reconstruction of drinking water and wastewater infrastructure.

(3) Award Process and Funding Allocation

- (a) Appropriations are subject to approval by the Colorado General Assembly, and funding is contingent upon such final appropriation. Pending appropriation, the division will administer the funds per the Natural Disaster Grant Fund rules identified in this section and prioritize projects based upon the criteria in section 55.5(4) below. The division will notify all applicants of their funding status after the establishment of a fundable list. The ~~division will post the~~ fundable list ~~will be posted~~ on the division website to identify the recipients of funds and the amount of each award.
- (b) A portion of the Natural Disaster Grant Fund ~~will may~~ be set-aside, ~~as determined by the division,~~ to assist local governments with grants for on-site wastewater treatment systems that have been impacted as a result ~~of a declared disaster emergency the September 2013 flood.~~ To sufficiently meet the demand indicated by the number of applications received and project type, the division has the authority to transfer funds between the set-aside for on-site wastewater treatment systems and the Natural Disaster Grant Fund. If a transfer occurs and project prioritization is required, the division will prioritize per section ~~55.5(4)55.4(4).~~
- (c) In the event that funds remain unallocated subsequent to a transfer of funds between the Natural Disaster Grant Fund and the on-site wastewater set-aside, the division has the authority to increase the amount of grant awards in priority order, highest to lowest, until all of the funds have been allocated or the application demand has been met.

(4) Project Prioritization

- (a) If the demand for funding in the Natural Disaster Grant Fund exceeds the available funds, the division shall rank each project based on population criteria, financial affordability factors, regionalization, utilization of multiple funding sources, ~~and~~ readiness to proceed and impacts as a result of ~~a declared disaster emergency the September 2013 flood.~~ If the demand for funding in the Natural Disaster Grant fund exceeds the available funds, the division will give priority to the applicants that have the lowest financial ability to pay. Specific point ranking criteria and associated points under each of the above factors will be included in the request for application. Projects will be funded in priority order from highest to lowest until all funds have been allocated.
- (b) Local governments ~~receiving that may receive~~ funds from the set-aside portion for the rehabilitation for on-site wastewater treatment systems impacted by ~~a declared disaster emergency the September 2013 flood~~ will receive an equitable percentage of the funds requested. For example, if \$1 million is allocated to the set-aside portion and \$2 million is requested, each valid applicant will receive 50% of its application request.

55.5 SMALL COMMUNITIES WATER AND WASTEWATER GRANT FUND CRITERIA

(1) Entity Eligibility

- (a) Suppliers of water that serve a population of not more than five thousand people.

The department, in the name of the state and to the extent that state funds are appropriated therefor, may enter into contracts with both governmental agencies and not for-profit public water systems, as defined in section 25-1.5-201(1), C.R.S. or with counties representing unincorporated areas that serve a population of not more than five thousand people, to grant moneys for the planning, design, and construction of public water systems.

- (b) Domestic waste water treatment works that serve a population of not more than five thousand people.

The department, in the name of the state and to the extent that state funds are appropriated therefor, may enter into contracts with governmental agencies, or counties representing unincorporated areas that serve a population of not more than five thousand people, for domestic wastewater treatment works as defined in section 25-8-103(5), C.R.S. to grant moneys for eligible projects as defined in section 25-8-701(2), C.R.S.

- (c) During the grant application process, the department shall seek from the division of local government in the department of local affairs a fiscal analysis of the applying entity to determine financial need. Based upon its fiscal analysis, the division of local government shall issue or deny a certificate of financial need. If a certificate of financial need is issued, the department may authorize a state grant to the project in accordance with the project prioritization adopted by the department.

(2) Project Eligibility

- (a) Projects for the planning, design, and construction of public water systems or domestic wastewater treatment works that serve a population of not more than five thousand people and which are necessary for the protection of public health and water quality.

(3) Award Process and Funding Allocation

- (a) The division will administer the funds per the Small Communities Water and Wastewater Grant Fund rules identified in this section. The available funds will be allocated approximately 50/50 between water and wastewater projects. The division will adjust the 50/50 allocation if necessary depending upon the quantity and composition of the application requests. No more than 10% of the total available funds will be distributed to any single water and/or wastewater eligible project. The division will notify all applicants of their funding status after the establishment of a fundable list.

The fundable list will be posted on the division website to identify the recipients of funds and the amount of each award.

(4) Project Prioritization

(a) Drinking Water

- (i) If the demand for funding in the Small Communities Water and Wastewater Grant Fund exceeds the available funds, the division shall rank each project based on financial/affordability, drinking water quality and public health, Colorado Primary Drinking Water Regulation compliance, and readiness to proceed. The division will give priority to the applicants that have the lowest financial ability to pay based upon project ranking criteria. Specific point ranking criteria and associated points under each of the above factors will be included in the request for application. Projects will be funded in priority order from highest to lowest until all funds have been allocated.
- (ii) Additional points will be awarded if the need for the project is a result of a natural disaster in a county where the Governor has declared a disaster emergency by Executive Order or proclamation under section 24-33.5-704, C.R.S.

(b) Wastewater

- (i) If the demand for funding in the Small Communities Water and Wastewater Grant Fund exceeds the available funds, the division shall rank each project based on financial/affordability, water quality improvement, permit compliance, and readiness to proceed. The division will give priority to the applicants that have the lowest financial ability to pay based upon project ranking criteria. Specific point ranking criteria and associated points under each of the above factors will be included in the request for

application. Projects will be funded in priority order from highest to lowest until all funds have been allocated.

- (ii) Additional points will be awarded if the need for the project is a result of a natural disaster in a county where the Governor has declared a disaster emergency by Executive Order or proclamation under section 24-33.5-704, C.R.S.

55.34 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY, AND PURPOSE REGARDING STATE FUNDED WATER AND WASTEWATER INFRASTRUCTURE PROGRAMS, FEBRUARY 10, 2025 RULEMAKING, EFFECTIVE [DATE].

The provisions of sections 25-8-202, C.R.S., 25-8-308, C.R.S., and 25-8-608, C.R.S. provide the specific statutory authority for adoption and implementation of the above regulations. The commission, in compliance with section 24-4-103(4), C.R.S., has adopted the following statement of basis and purpose.

BASIS AND PURPOSE

The following changes were made to the regulation to correctly indicate the grant amount a project may ultimately receive in Category 1 of the Water Quality Improvement Fund, to reflect the expiration of funding award timelines for specific grant funds that were authorized by the state legislature for the 2013 floods for the 2014-15 fiscal year and, as needed, the 2015-16 fiscal year, and to update the regulation to be consistent with the language in the Natural Disaster Grant Fund statute in section 25-8-608.7, C.R.S. Additional changes were made to correct typographical errors and to improve clarity and organization of the regulation.

Authority, Scope and Purpose

- Natural Disaster Grant Fund, Section 55.1(2)

Language was added to be consistent with section 25-8-608.7(2)(a), C.R.S. by adding "The division may also award grants to local governments with the repair and restoration of on-site wastewater treatment systems as defined in section 25-10-103(12), C.R.S."

Definitions

- "Beneficial Use", Section 55.2(1)

Language was amended to include the reference to Regulation #64 (5 CCR 1002-64), Colorado's biosolids regulation.

Water Quality Improvement Fund Criteria

- Stormwater Management Training, Section 55.3(3)

Funding allocation, Category 1 clarified that per prioritization procedures, eligible Category 1 projects may result in certain projects ultimately receiving more than \$100,000.

Natural Disaster Grant Fund Criteria

- Entity Eligibility, Sections 55.4(1)(b), 55.4(1)(c)

Language was added to sections 55.4(1)(b) and 55.4(1)(c) to be consistent with section 55.4(a) by adding that the entity must have been impacted, damaged, or destroyed in connection with a natural disaster in a designated disaster emergency county by an executive order or proclamation under section 24-33.5-704, C.R.S.

- Project Eligibility, Sections 55.4(2)(a), 55.4(2)(b)

The Natural Disaster Grant Fund project eligibility criteria were updated by removing references to

the 2013 flood from sections 55.4(2)(a) and 55.4(2)(b).

- Award Process and Funding Allocation, Section 55.4(3)(b)

The Natural Disaster Grant Fund Award Process and Funding Allocation provisions were updated by removing references to the 2013 flood in section 55.3(4)(b).

- Project Prioritization, Sections 55.4(4)(a), 55.4(4)(b)

Prioritization factors in the event demand for funding in the Natural Disaster Grant Fund exceeds the available funds was updated by removing references to the September 2013 flood in sections 55.4(4)(a) and 55.4(4)(b).

Editor's

Notes

History

Entire rule eff. 07/30/2007.

Entire rule eff. 03/30/2012.

Entire rule eff. 07/30/2012.

Rules 55.8, 55.14 eff. 06/30/2013.

Rules 55.9, 55.15 eff. 06/30/2014.

Entire rule eff. 09/30/2014.

Rules 55.1-55.3, 55.32 eff. 12/31/2017.

Rules 55.1-55.6, 55.33 eff. 01/30/2023.