

1508.0020 ALM LICENSE AND INSPECTION FEE.

Subpart 1. **Licensing requirements.** A distributor or producer of ALM shall obtain a license in accordance with Minnesota Statutes, section 18C.541, subdivision 1.

Subp. 2. **Free distribution.** If a producer distributes ALM to another person free of charge under Minnesota Statutes, section 18C.541, subdivision 6, the producer is not liable for any license and inspection fees incurred by any subsequent distributor of that product.

Subp. 3. **Custom application.** A person who custom applies and does not distribute ALM is not liable for license and inspection fees.

Subp. 4. **Reporting transportation charges to department.** Distributors or producers applying for license and inspection fee exemption under Minnesota Statutes, section 18C.541, subdivision 6, must disclose transportation charges assessed in the distribution of industrial or municipal by-product ALM. Transportation charges must be itemized to show fees assessed for application and over-the-road transport.

Subp. 5. **Determining fair and reasonable transportation charges.** To determine fair and reasonable transportation charges, the department shall collect transportation charges data from ALM distributors and producers via information required on the annual license application required by Minnesota Statutes, section 18C.541, subdivision 1, or other application forms provided by the department. Transportation charges data collected must be separated into two geographical areas:

A. the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2; and

B. all of Minnesota outside the metropolitan area.

These geographical areas designate where industrial or municipal by-product ALM is produced or initially transported from. Data collected must be averaged for each respective area. Distributors or producers except those exempt under Minnesota Statutes, section 18C.541, subdivision 6, must pay license and inspection fees if their transportation charges exceed the average area transportation charge.

Subp. 6. **Inspection fee assessment limitation.** Inspection fees assessed under Minnesota Statutes, section 18C.551, subdivision 3, are limited to one assessment during distribution in Minnesota. Verification of prior inspection fee payment is required.

Statutory Authority: *MS s 18C.575*

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