

7046.0040 METROPOLITAN AREA GENERATOR FEE.

Subpart 1. **Basis for fees.** Metropolitan area generators must pay a hazardous waste generator fee that consists of an annual fee under subpart 2. The agency shall charge metropolitan area generator fees based on the license application and licensing reports submitted by generators to the county where the hazardous waste generation site is located or other appropriate information available to the agency. The metropolitan counties must provide this data to the agency in the time and manner required by the agency to facilitate collection of the fees. Fees shall be examined annually and adjusted, as necessary, under part 7046.0060.

Subp. 2. **Annual fees.** The annual fee is the sum of the base fee in item A and the quantity fee in item B. Very small quantity generators pay the base fee and are exempt from the quantity fee.

A. The base fee is calculated annually and adjusted, if necessary, under part 7046.0060, subpart 1, step 13.

B. The quantity fee is calculated annually using the per pound quantity rate under part 7046.0060, subpart 1, step 14, and the total amount of waste that counts toward the generator's size determination under part 7045.0206 that is generated in a year based on the most recent license application and licensing reports submitted by the generator or other appropriate information available to the agency. To determine the quantity fee, the per pound quantity rate under part 7046.0060, subpart 1, step 14, is multiplied by the total quantity of waste that counts toward a generator's size.

Subp. 3. **Payment schedule.**

A. Large and small quantity generators must submit fees within 50 days of the postmark date of the notice from the commissioner that the fees are due. Very small quantity generators must submit fees within 35 days of the postmark date of the notice from the commissioner that fees are due.

B. A metropolitan area generator must submit a check for the required amount as directed on the invoice. The fee submittal must be postmarked or hand-delivered not later than the due date on the invoice.

Subp. 4. **Penalty for late payment of fees.** If a metropolitan area generator fails to submit the required fees by the due date provided on the invoice, the generator shall pay the fees plus a late fee as provided in items A and B.

A. Generators shall be assessed a late fee for each 30-day period or fraction of that period that the fee remains unpaid. The late fee is calculated as a percentage of the annual fee as follows: ten percent of the annual fee for each of the first two 30-day periods and 15 percent of the annual fee for each 30-day period, or fraction of a 30-day period, thereafter.

B. If a metropolitan area generator fails to submit the required fees by the due date, the generator is liable for reasonable additional expenses the agency incurs in collection of the fee, in addition to the annual fee and any applicable late fees.

Statutory Authority: *MS s 16A.128; 116.12*

History: *8 SR 1781; 9 SR 2341; 11 SR 1993; L 1987 c 186 s 15; 13 SR 1821; 16 SR 1646; 18 SR 1665; 31 SR 985*

Published Electronically: *February 9, 2007*