

1 Pollution Control Agency

2 Solid and Hazardous Waste Division

3

4 Adopted Rules Relating to Low Level Radioactive Waste Generator

5 Fees

6

7 Rules as Adopted

8 7042.0010 SCOPE OF RULES.

9 Parts 7042.0020 to 7042.0060 levy fees on the generators of
10 low-level radioactive waste as required by Minnesota Statutes,
11 section 116C.834.

12 7042.0020 DEFINITIONS.

13 Subpart 1. Scope. The terms used in parts 7042.0010 to
14 7042.0060 have the meanings given them in this part.

15 Subp. 2. Agency. "Agency" means the Minnesota Pollution
16 Control Agency.

17 Subp. 3. Compact. "Compact" means the Midwest Interstate
18 Low-Level Radioactive Waste Compact as provided by Minnesota
19 Statutes, section 116C.831.

20 Subp. 4. Director. "Director" means the executive
21 director of the agency.

22 Subp. 5. Disposal. "Disposal" means the isolation of
23 low-level radioactive waste from the biosphere in a permanent
24 facility designed for that purpose.

25 Subp. 6. Facility. "Facility" means a parcel of land or
26 site, together with the structures, equipment, and improvements
27 on or appurtenant to the land or site which is used or is being
28 developed for the treatment, storage, or disposal of low-level
29 radioactive waste.

30 Subp. 7. Generator. "Generator" means any person who
31 produces or possesses low-level radioactive waste in the course
32 of, or incident to manufacturing, power generation, processing,
33 medical diagnosis and treatment, research, or other industrial
34 or commercial activity, and who, to the extent required by law,
35 is licensed by the United States Nuclear Regulatory Commission

1 or is a state party to the compact, to produce or possess such
2 waste. "Generator" does not include a person who provides a
3 service by arranging for the collection, transportation,
4 treatment, storage, or disposal of wastes.

5 Subp. 8. Low-level radioactive waste or waste. "Low-level
6 radioactive waste" or "waste" means radioactive waste not
7 classified as high-level radioactive waste, transuranic waste,
8 spent nuclear fuel, or by-product material as defined in United
9 States Code, title 42, section 2014(e)(2).

10 Subp. 9. Person. "Person" means any individual,
11 corporation, business enterprise or other legal entity either
12 public or private and any legal successor, representative, agent
13 or agency of the individual, corporation, business enterprise,
14 or legal entity.

15 Subp. 10. Storage. "Storage" means the temporary holding
16 of low-level radioactive waste for treatment or prior to
17 treatment or disposal.

18 Subp. 11. Treatment. "Treatment" means any method,
19 technique, or process, including storage for radioactive decay,
20 designed to change the physical, chemical, or biological
21 characteristics or composition of any low-level radioactive
22 waste in order to render the low-level radioactive waste safer
23 for transport or management, amenable to recovery, convertible
24 to another usable material, or reduced in volume.

25 7042.0030 LOW-LEVEL RADIOACTIVE WASTE GENERATOR FEES.

26 Subpart 1. Basis of fees. The fees paid are based upon
27 volume of waste shipped for disposal during the previous
28 calendar year. Data on the volume of waste shipped shall be
29 provided to the director with payment as described in part
30 7042.0040.

31 Subp. 2. Amount of fees. A generator of low-level
32 radioactive waste is subject to the following fees:

33 A. A generator who ships 1,000 cubic feet or more of
34 low-level radioactive waste per year to a facility for disposal
35 is subject to a fee of 85 cents per cubic foot of low-level
36 radioactive waste shipped per year.

1 B. A generator who ships at least 100 cubic feet but
2 less than 1,000 cubic feet of low-level radioactive waste per
3 year to a facility for disposal is subject to a fee of \$100 per
4 year.

5 7042.0040 PAYMENT OF FEES.

6 A generator must submit to the director the fees and
7 appropriate documentation of the volume of waste shipped no
8 later than June 10 of each year. Fees for wastes shipped in
9 calendar year 1984 are payable by June 10, 1985. Checks shall
10 be made payable to the state treasurer.

11 7042.0050 EXEMPTIONS.

12 Low-level radioactive waste generated as a result of a
13 spill or accident and sealed sources which are returned to a
14 vendor or manufacturer are not subject to the fees in parts
15 7042.0030 and 7042.0040.

16 7042.0060 PENALTY PROVISIONS.

17 If the generator fails to pay the generator fee by the due
18 date, a penalty will be assessed. The penalty is five percent
19 of the fee due for each month or fraction of month that the fee
20 payment is late.