

1 Pollution Control Agency

2

3 Adopted Permanent Rules Relating to Hazardous Waste Facility Fee

4 Amendments

5

6 Rules as Adopted

7 7046.0020 HAZARDOUS WASTE FACILITY FEES.

8 Subpart 1. Fee schedule for five-year permits. A person
 9 applying for issuance or reissuance of a five-year permit for a
 10 hazardous waste facility shall remit the permit application fee
 11 or permit reissuance fee given in item A or B. A person who
 12 owns or operates a hazardous waste facility shall remit the
 13 annual facility fee for that fiscal year if on July 1, the
 14 facility is treating, storing, or disposing of hazardous waste
 15 or has hazardous waste remaining after closure. A facility in
 16 which hazardous waste remains after closure continues to be
 17 subject to the annual facility fee until ~~certification-of~~
 18 ~~completion-of-post-closure-care-is-submitted-to-the-commissioner~~
 19 ~~and-the-commissioner-releases-the-owner-or-operator-from-the~~
 20 ~~financial-assurance-requirements-for-post-closure-care-as~~
 21 ~~described-in-part-7045-06027-subpart-4~~ the owner or operator is
 22 exempted under subpart 8.

23	Permit	Annual	Permit
24	Application	Facility	Reissuance
25	Fee	Fee	Fee
26			

27 [For text of item A, see M.R. 1989]

28 B. Disposal and treatment

29 Surface impoundment	21,870	21,140	10,930
30			
31 Treatment (not	21,870	10,690	10,930
32 otherwise specified			
33 including open			
34 burning)			
35			
36 Thermal treatment	54,670	37,180	27,340
37 (not including			
38 open burning)			
39			
40 Land treatment	54,670	37,180	27,340
41			
42 Land disposal			
43			
44 Active facilities	54,670	37,180	27,340
45			
46 Closed facilities	27,330	24,790	13,670

1 (includes all
2 facilities in
3 which waste remains
4 after closure)
5

6 Subp. 2. Fee schedule for permits less than five-year
7 term. The following schedule must be used to calculate the
8 application fee for a permit term of less than five years.

9	Term of Permit	Permit Application Fee
10	1 year	35 percent of application fee in subpart 1 or subpart 3
11	2 years	60 percent of application fee in subpart 1 or subpart 3
12	3 years	75 percent of application fee in subpart 1 or subpart 3
13	4 years	90 percent of application fee in subpart 1 or subpart 3
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23 The annual facility fee is the applicable fee listed in
24 table 1 in subpart 1.

25 Subp. 3. Combination facilities. An application fee for a
26 facility consisting of several treatment, storage, or disposal
27 functions must be calculated according to the following schedule
28 for application fees and annual facility fees:

29 [For text of items A to H, see M.R. 1989]

30 [For text of subp 4, see M.R. 1989]

31 Subp. 5. Payment schedule. Fees must be made payable to
32 the state treasurer and submitted to the commissioner as follows:

33 [For text of item A, see M.R. 1989]

34 B. The owner or operator shall submit the annual
35 facility fee not later than June 30 of each year.

36 [For text of item C, see M.R. 1989]

37 [For text of subps 6 to 7, see M.R. 1989]

38 Subp. 8. Exemption for closed land disposal facilities
39 from annual facility fee. The owner or operator of a closed
40 land disposal facility may petition the commissioner, at any
41 time after two years have passed since the last wastes were
42 disposed of at the facility, to release the owner or operator
43 from the requirement to pay an annual facility fee. The
44 petition shall include all available leachate and groundwater
45 monitoring data for the facility, a description of the

1 characteristics of the wastes in the facility, a description of
2 the technology applied to secure the facility and avoid
3 migration of the wastes, a description of anticipated future
4 monitoring, an evaluation of the potential for future
5 environmental problems, and any additional information the owner
6 or operator has to support the petition. The commissioner shall
7 grant the petition and exempt the owner or operator from the
8 requirement to pay the annual facility fee if the commissioner
9 determines that, based on the information contained in the
10 petition, groundwater contamination has not occurred and is not
11 likely to occur and the facility will not require significant
12 agency oversight. The exemption shall continue until such time
13 as the commissioner determines, after notice to the owner or
14 operator, that the facility does require significant agency
15 oversight. The exemption shall expire if the owner or operator
16 adds or allows to be added additional wastes to the facility.
17 The exemption from the requirement to pay the annual facility
18 fee does not exempt the owner or operator from the requirement
19 to pay the permit reissuance fee.