

1 Department of Public Safety

2

3 Adopted Permanent Rules Relating to Fees for Emergency Response
4 Commission

5

6 Rules as Adopted

7 EMERGENCY AND HAZARDOUS CHEMICAL INVENTORY FEES

8 7507.0100 SCOPE.

9 This chapter applies to all persons required to submit
10 emergency and hazardous chemical inventory reports to the
11 Department of Public Safety, Emergency Response Commission,
12 under the federal Emergency Planning and Community Right-to-Know
13 Act, United States Code, title 42, sections 11021 and 11022, and
14 to facilities added under Minnesota Statutes, section 299K.08,
15 subdivision 2.

16 7507.0200 DEFINITIONS.

17 For the purposes of this chapter the terms used have the
18 meanings given in Minnesota Statutes, section 299K.01.

19 7507.0300 PAYMENT OF FEES.

20 A person submitting a fee must make the fee payable to the
21 Minnesota Department of Public Safety and submit it to the
22 director of the Emergency Response Commission.

23 7507.0400 MATERIAL SAFETY DATA SHEET FEE.

24 A person must pay a \$10 fee per material safety data sheet
25 when the person submits material safety data sheets in lieu of a
26 hazardous chemical report form as provided for under United
27 States Code, title 42, section 11021.

28 7507.0500 PROCESSING FEE.

29 Subpart 1. **Persons required to pay fee.** A person must pay
30 a processing fee based upon the schedule in subpart 2. The fee
31 must be paid by March 1, beginning in 1991 and annually
32 thereafter, for each facility for which an owner or operator is
33 required to submit an emergency and hazardous chemical inventory

1 form under United States Code, title 42, section 11022. If a
2 person periodically moves the hazardous chemical stored at one
3 facility to another facility during the same calendar year as
4 part of normal operations, and if the hazardous chemicals stored
5 at these facilities are the same, then that person must pay a
6 fee for only one facility.

7 Subp. 2. Processing fee schedule. The following fees must
8 be paid for a facility:

9 A. one to nine chemicals reported at the facility,
10 \$25;

11 B. ten to 49 chemicals reported at the facility,
12 \$100; and

13 C. 50 or more chemicals reported at the facility,
14 \$1,000.

15 7507.0600 NOTIFICATION OF ERROR.

16 The commission must review the fees paid for a specific
17 facility and must provide a written notice of error to the
18 person who submits an incorrect fee payment. If the error
19 resulted in underpayment, the person must submit correct payment
20 within 60 days or late payment fees will be assessed. If the
21 error resulted in overpayment, the overpayment must be refunded
22 to the payee.

23 A person who thinks that the fee paid is in error must
24 provide written notice to the director of the commission. If
25 the director of the commission finds, upon reviewing the data,
26 that the fee was in error, the overpayment must be refunded.

27 7507.0700 LATE PAYMENT FEE.

28 A person must pay a late payment fee of 100 percent of the
29 payment due for failure to make payment within 60 days of a
30 payment date. A person must pay an additional 100 percent of
31 the original payment due for failure to make payment within 120
32 days of a payment date.