

**CHAPTER 7046**  
**MINNESOTA POLLUTION CONTROL AGENCY**  
**SOLID AND HAZARDOUS WASTE DIVISION**  
**FACILITY AND GENERATOR FEES**

7046.0020 HAZARDOUS WASTE FACILITY  
 FEES

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**Subpart 1. Fee schedule for five-year permits.** A person applying for issuance or reissuance of a five-year permit for a hazardous waste facility shall remit the permit application fee or permit reissuance fee given in item A or B. A person who owns or operates a hazardous waste facility shall remit the annual facility fee for that fiscal year if on July 1, the facility is treating, storing, or disposing of hazardous waste or has hazardous waste remaining after closure. A facility in which hazardous waste remains after closure continues to be subject to the annual facility fee until the owner or operator is exempted under subpart 8.

Permit Application Fee	Annual Facility Fee	Permit Reissuance Fee
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*[For text of item A, see M.R.]*

<b>B. Disposal and treatment</b>			
Surface impoundment	21,870	21,140	10,930
Treatment (not otherwise specified including open burning)	21,870	10,690	10,930
Thermal treatment (not including open burning)	54,670	37,180	27,340
Land treatment	54,670	37,180	27,340
<b>Land disposal</b>			
Active facilities	54,670	37,180	27,340
Closed facilities (includes all facilities in which waste remains after closure)	27,330	24,790	13,670

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

Term of Permit	Permit Application Fee
1 year	35 percent of application fee in subpart 1 or subpart 3

2 years	60 percent of application fee in subpart 1 or subpart 3
3 years	75 percent of application fee in subpart 1 or subpart 3
4 years	90 percent of application fee in subpart 1 or subpart 3

The annual facility fee is the applicable fee listed in table 1 in subpart 1.

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

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

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

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

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

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

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

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

**Subp. 8. Exemption for closed land disposal facilities from annual facility fee.** The owner or operator of a closed land disposal facility may petition the commissioner, at any time after two years have passed since the last wastes were disposed of at the facility, to release the owner or operator from the requirement to pay an annual facility fee. The petition shall include all available leachate and groundwater monitoring data for the facility, a description of the characteristics of the wastes in the facility, a description of the technology applied to secure the facility and avoid migration of the wastes, a description of anticipated future monitoring, an evaluation of the potential for future environmental problems, and any additional information the owner or operator has to support the petition. The commissioner shall grant the petition and exempt the owner or operator from the requirement to pay the annual facility fee if the commissioner determines that, based on the information contained in the petition, groundwater contamination has not occurred and is not likely to occur and the facility will not require significant agency oversight. The exemption shall continue until such time as the commissioner determines, after notice to the owner or operator, that the facility does require significant agency oversight. The exemption shall expire if the owner or operator adds or allows to be added additional wastes to the facility. The exemption from the requirement to pay the annual facility fee does not exempt the owner or operator from the requirement to pay the permit reissuance fee.

**Statutory Authority:** *MS s 116.12*

**History:** *14 SR 2249*