

7046.0031 NONMETROPOLITAN AREA GENERATOR FEES.

Subpart 1. **Basis of fees.** Nonmetropolitan area generators must pay a hazardous waste generator fee that consists of an annual fee under subpart 4. The agency shall charge nonmetropolitan area generator fees based on the license application and licensing reports submitted by generators or other appropriate information available to the agency. Fees will be examined annually and adjusted, as necessary, under part 7046.0060.

Subp. 2. [Repealed, 18 SR 1665]

Subp. 2a. [Repealed, 18 SR 1665]

Subp. 3. [Repealed, 16 SR 1646]

Subp. 4. **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 shall be calculated annually and adjusted, if necessary, under part 7046.0060, subpart 1, step 19.

B. The quantity fee is calculated annually using the per pound quantity rate under part 7046.0060, subpart 1, step 20, 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 20, is multiplied by the total quantity of waste that counts toward the generator's size.

Subp. 5. [Repealed, 16 SR 1646; 16 SR 2102]

Subp. 6. **Payment schedule.** 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.

A nonmetropolitan 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. 7. **Penalty for late payment of fees.** If a nonmetropolitan 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 will 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 nonmetropolitan 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.

Subp. 8. **Penalty for late submittal of license renewal.** If a large or small quantity nonmetropolitan area generator fails to submit the license renewal required under part 7045.0248, subpart 1, by the date specified by the commissioner, the generator must pay a nonrefundable late fee of \$25. The late fee will be assessed at the time annual fees under this part are assessed.

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

History: *11 SR 1993; L 1987 c 186 s 15; 13 SR 1821; 16 SR 1646; 16 SR 2102; 18 SR 1665; 31 SR 985*

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