

7046.0050 GENERATOR FEE EXEMPTIONS.

Subpart 1. [Repealed, 9 SR 2341]

Subp. 1a. **Exemption for 100 pounds or less.** Nonmetropolitan and metropolitan area generators that generate less than or equal to 100 pounds or ten gallons of hazardous waste and no acute hazardous waste per year are exempt from the fees under this chapter.

Subp. 1b. **Metropolitan area generator quantity rate cap exemption.** An individual metropolitan area generator shall not be charged a quantity rate fee on any wastes generated in excess of 2,000,000 pounds.

Subp. 1c. **Nonmetropolitan area generator quantity rate cap exemption.** An individual nonmetropolitan area generator shall not be charged a quantity rate fee on any wastes generated in excess of 1,000,000 pounds.

Subp. 2. [Repealed, 11 SR 1993]

Subp. 2a. **PCB waiver.** Polychlorinated biphenyl (PCB) waste associated with oil-filled electric equipment is eligible for a waiver from annual hazardous waste fees according to Minnesota Statutes, section 116.07, subdivision 2b, paragraph (b).

Subp. 3. **Wastes generated as a result of response action.** A waste that is generated as a result of a response action is exempt from the generator fee. A response action is removal or remedial action taken according to the Environmental Response and Liability Act, Minnesota Statutes, sections 115B.01 to 115B.20, or the Comprehensive Environmental Response, Compensation, and Liability Act, United States Code, part 42, sections 9601, et seq.

Subp. 4. [Repealed, 16 SR 1646; 16 SR 2102]

Subp. 5. **Wastes generated as a result of household hazardous waste collections.** A waste that is generated as a result of a household hazardous waste collection program under Minnesota Statutes, section 115A.95, is exempt from the generator fee.

Subp. 6. **Waste collected as a result of a very small quantity generator hazardous waste collection program.** An operator of a very small quantity generator hazardous waste collection program is exempt from generator fees for waste collected under part 7045.0320.

An operator who is also a generator is not exempt from generator fees for the waste that the operator generates as distinct from the waste that the operator collects from other generators.

A very small quantity generator participating in a collection program under part 7045.0320 is not exempt from generator fees.

Subp. 7. **Waste exempt from size determination.** The agency bases the generator fees in this chapter only on those wastes used to determine generator size.

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

History: *8 SR 1781; 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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