

# Hazardous Waste Program Fee Stakeholder Meeting

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December 18, 2014

# Fee Stakeholder Meeting Agenda

- Overview of Previous Meeting
- Other State Fee Structures
- Fee Calculator
- Discussion
- Future Meetings

## Overview of Previous Meeting

- Statutory Changes and the New Process for Changing the Fees
- Overview of the Hazardous Waste Program Structure and Activities
- Fees to be Included
- Financial Overview
- Draft Rulemaking Timeline

# Fee Structures that can be Changed by Rule Using SB642 Process

Fee	Amount	Conditions
Generator Registration and Renewal	\$100 per year	
In-state Generator	\$5 per ton	min of \$150 max of \$52,000
Out-State Generator	\$2 per ton	
Land Disposal	\$25 per ton	Not applied to < 10 tons
Offsite Transportation	\$2 per ton	Not applied to < 10 tons

## Other Fees that can be Changed by Rule

Fee	Amount	Conditions
Commercial Facility Inspection	>10,000 tons = \$12,000 > 2,500 and <10,000 = \$10,800 < 2,500 tons = \$9,800	Max set in statute at \$12,000, specifies a graduated scale
Permit Fee	\$1,000 per year	Max set in statute at \$1,000
Resource Recovery Application	\$500 (onsite waste only) \$1,000 (receiving offsite waste)	Max set in statute at \$500 Max set in statute at \$1,000
Transporter	Application - \$200 annually Use Base - Formula in Rule	Target set in statute at \$600,000
Engineering/Geologic Review & Corrective Action (RCRA) Oversight	Rate set using a multiplier of 3.5 x staff hourly rate	Actual Cost
Voluntary Remediation Oversight Cost	Rate set using a multiplier of 3.5 x staff hourly rate	Actual Cost
Voluntary Remediation Monitoring	Min \$5,000 Max \$15,000	Actual Cost

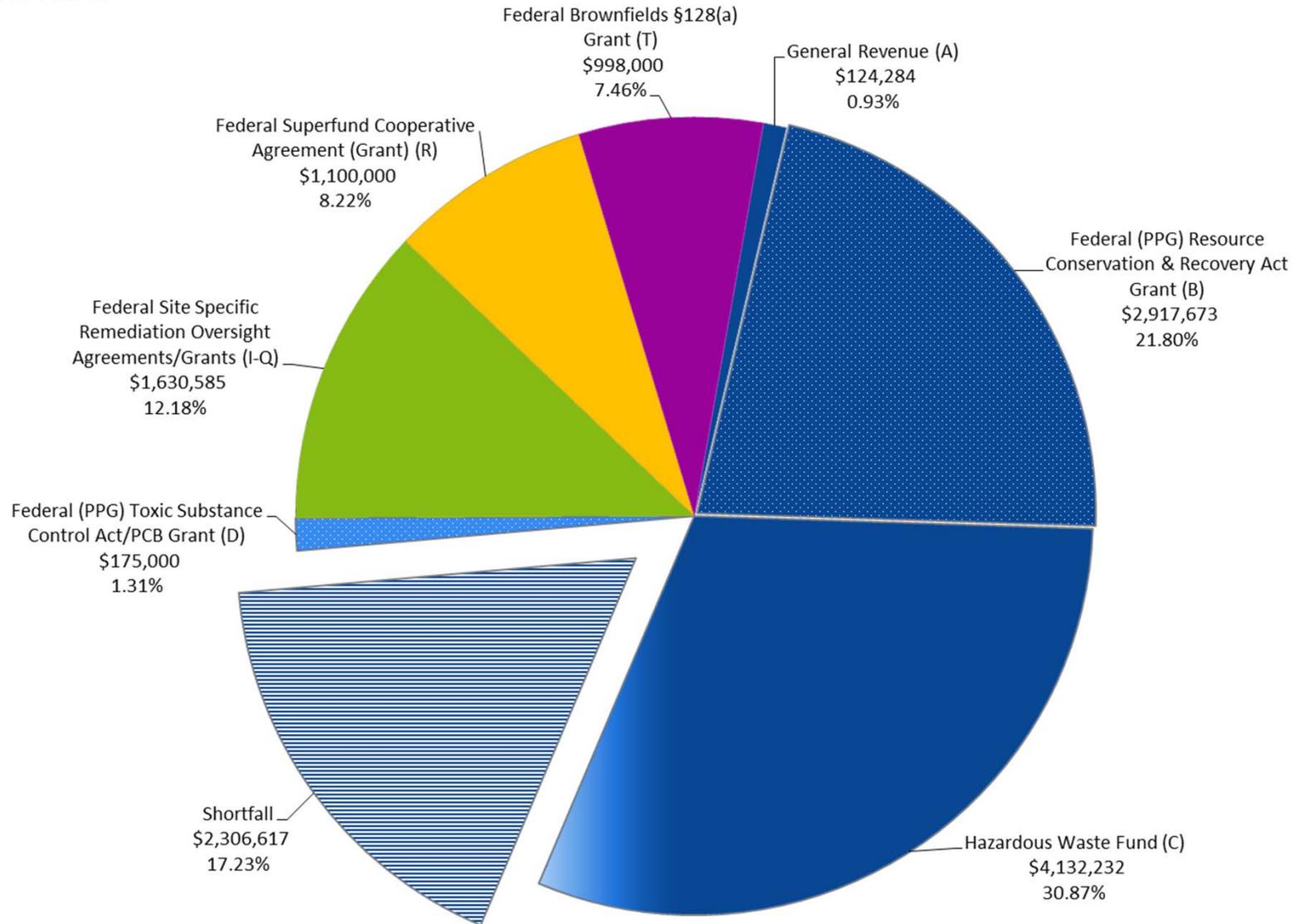
# Fees Requiring Legislative Action to Change

Fee	Amount	Conditions
Lead Acid Battery	\$0.50 per battery sold at retail	
Hazardous Waste Landfill	2% of charges and fees charged for disposal	
High-level, transuranic, spent nuclear fuel, or highway route controlled quantity Radioactive Waste Shipments	Truck - \$1,800 Surcharge of \$25 per mile >200 miles Rail – first cask \$1,300 each additional cask \$125	
Low-level Radioactive Waste Shipments	\$125 per truck or train	

# Fees Requiring Legislative Action to Change

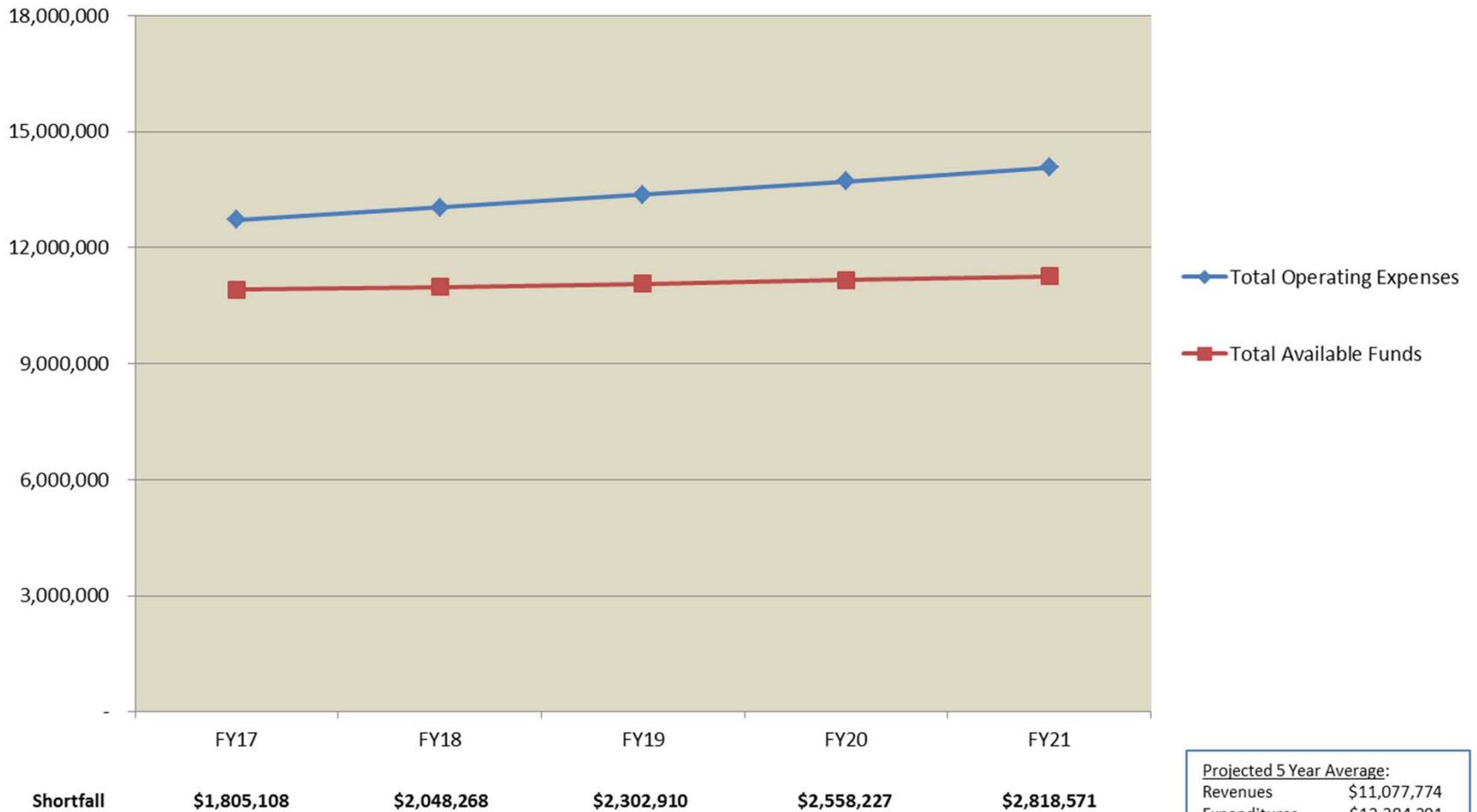
Fee	Amount	Condition
VCP Application	\$200	
Dry Cleaning Registration Surcharge	\$500 \$1,000 \$1,500	≤140 gallons solvent used >140 and <360 gallons used ≥ 360 gallons used
Dry Cleaning Solvent Surcharge	\$8 per gallon	
UST Registration	\$15 per tank per year	Assessed on a 5 year basis

**Hazardous Waste Funding (excluding Dry-cleaning, Radioactive Waste, Tanks & Damages)  
 Projected Operating Costs  
 5-Year Average FY17 - FY21  
 All Funds**



**Total \$13,384,391**

**Hazardous Waste Funding (excluding Dry-cleaning, Radioactive Waste, Tanks & Damages)  
 Projected Operating Costs compared to Available Funds  
 5-Year Average (FY17-FY21)  
 All Fund Sources**



<b>Projected 5 Year Average:</b>	
Revenues	\$11,077,774
Expenditures	\$13,384,391
Projected Shortfall	(\$ 2,306,617)

Assumptions:  
 Full Program (all current positions filled, does not assume new positions)  
 3% pay plan increase each year  
 3% inflationary rate for expense and equipment each year

## Draft Timeline for Rulemaking

- April 2015: Present proposed fee structure to Hazardous Waste Management Commission
- June 2015: Seek Commission approval and then file proposed rule
- August 2015: Hold public hearing
- October 2015: Obtain final approval from Commission and file orders of rulemaking



## Other State Fee Structures

- Information obtained from Kansas, Iowa, Nebraska, Illinois, Arkansas, Kentucky and Mississippi

## Kansas Fees

- \$150 annual fee – small quantity generators and “Kansas Generators”
- LQGs - “Monitoring fee” of \$300, \$900, \$2,800, or \$9,000 - based on tonnage
- TSDs – Monitoring Fee set by rule ranges from \$10,000 to \$18,000 annually, depending on type of waste management activity – statutory cap of \$50K
- Facilities that accept waste from off site pay additional fee of \$2 per ton or \$10 per ton depending on BTUs – cap of \$60K or \$200K, depending on if material burned for energy recovery or disposal

## Iowa Fees

- \$25 annual facility fee for SQG; \$250 annual facility fee for LQG
- Generators and TSDs - tonnage fees of \$2 per ton (treated on site), \$10 per ton (transported off site), \$40 per ton (sent to Iowa disposal facility)
- TSDs pay fee for out of state waste sent to Iowa
- Caps – 2,500 tons (\$25,000) for waste transported off site and 500 tons (\$10,000) for waste treated on site

## Nebraska Fees

- Permitted TSDs pay fees based on treatment of waste
- If waste is treated or incinerated- \$.06 per cubic foot (\$1.62 per cubic yard) or \$.00096 per pound
- If waste is disposed - \$.70 per cubic foot (\$18.90 per cubic yard) or \$.0112 per pound

## Illinois Fees

- Large Quantity Generators and Permitted TSDs pay an activity-based annual permit and inspection fee
- Ranges from \$500 for LQGs to \$70,000 for sites receiving waste from off site for disposal; Incineration - \$4,000; \$2,000 – other than incineration
- Permitted TSDs also pay for all waste received from off site
- Fee is 9 cents per cubic yard or per gallon for disposal and 3 cents for treatment
- On site disposal capped at \$30,000
- No cap on off site disposal

## Arkansas Fees

- For permit applications and renewals, TSDs pay a base permit application fee of \$20,000 - plus waste management activity fee
- Waste management activity fee – sliding scale depending on type of facility (commercial or non) and type of activity (container treatment/storage, tank treatment/storage, waste pile storage, surface impoundment, land treatment, landfill, incineration); fee is per unit
- Fees capped at \$80,000 non commercial and \$100,000 commercial
- In addition to application fee, TSDs pay an annual permit maintenance fee and an annual monitoring and inspection fee

## Arkansas Fees cont.

- Annual permit maintenance fee is \$15K for commercial and \$11,250 for non-commercial
- Annual monitoring/inspection fee \$2,250 for commercial and \$1500 for non commercial TSDs
- Generators pay an annual monitoring/inspection fee and an annual generator fee based on pounds generated
- Annual monitoring inspection fee is \$1000 > 250,000 lbs.; \$500 for 26,401 to 249,999 lbs.; \$150 - SQGs
- Tonnage fee for generators ranges from no fee for less than 30,000 lbs. generated, to \$10,000 if more than 500,000 lbs. generated

## Mississippi Fees

- TSDs pay a disposal fee based on type of activity and length of storage
- \$10 per ton for land disposal or if stored more than 1 year
- \$2 per ton if stored less than one year
- \$1 per ton if generated and recovered on site
- TSDs pay fee for waste received from out of state

## Kentucky Fees

- Large and small quantity generators pay annual fee of \$300 to \$600 - based on number of waste streams
- Additional fees of \$300 per activity for recycling or other on site treatment
- Additional fees depend on type (liquid or solid) and management (on or off site, burning, disposal, etc.) of waste
- Range from \$1 per ton (solid waste burned on site) to \$24 per ton (liquid waste sent off site for disposal)
- Permit fees - \$1,000 filing, plus \$3,700 to \$19,400 per unit in additional permitting review fees

## Other State Fee Summary

- Generator fees – of states reviewed, only NE and MS do not have an annual fee
- Other states all have an annual fee and/or some sort of quantity based generator fee
- Permit fees – range from \$10,000 (KS) to \$100,000 (AR – commercial TSDs)
- Some assess additional fee per unit
- Illinois – no cap for facilities that dispose off site
- Many vary based on treatment of waste
- Difficult to make comparisons because no two states charge for the same things

# Hazardous Waste Fee Calculator (only first section)

NOTE: Data can be entered into the blue highlighted cells; calculations are automated to show total projected revenue.

<b>Fee Adjustment Proposal Calculated for Use at Fee Stakeholder Meetings</b>					
<b>CALCULATOR FOR INPUT</b>					
<b>Fee Type &amp; Current Fee Level</b>	<b>Current Revenues based on Fiscal Year 2014 Reporting data</b>	<b>Fiscal Year 2014 Permits/Applications /Hours/Tons per Year</b>	<b>Potential Fee Level or Adjustment</b>	<b>Projected Additional Revenue at Adjusted Fee Level</b>	<b>Projected Total Revenue</b>
<b>Fee Structures that can be Changed by Rule by SB642 Process</b>					
Generator Registration and Renewal - \$100 per year	\$ 263,000	2,630	\$ 100	\$ -	\$ 263,000
In-State Generator - \$5 per ton	\$ 710,055	267,774	\$ 5	\$ -	\$ 710,055
<i>Minimum Fee - \$150 (1,362 generators in Fiscal Year 2014)</i>			\$ 150		
<i>Maximum Fee - \$52,000 (2 generators in Fiscal Year 2014)</i>			\$ 52,000		
Out-State Generator - \$2 per ton	\$ 360,428	180,214	\$ 2	\$ -	\$ 360,428
Land Disposal - \$25 per ton	\$ 134,851	5,394	\$ 25	\$ -	\$ 134,851
Offsite Transportation - \$2 per ton	\$ -	0	\$ 2	\$ -	\$ -
			<b>Additional Fees</b>	\$ -	\$ 1,468,334



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# Discussion

## Future Meeting Dates

- January 22, 2015; 1:30 PM
- February 19, 2015\*
- March TBD

\*Scheduled in Conjunction with a Commission Meeting