

## CHAPTER 33.1-20-15 SOLID WASTE MANAGEMENT FEES

### Section

33.1-20-15-01 Application Processing Fee

33.1-20-15-02 Annual Permit Fee

### **33.1-20-15-01. Application processing fee.**

1. Applicants for permits for transporting solid waste and for solid waste management units shall pay, at the time the permit application is filed, a nonrefundable application processing fee as follows:
  - a. Two hundred dollars for a solid waste transporter.
    - (1) Solid waste transporter permits are effective for up to five years, expiring on December thirty-first of the fifth year.
    - (2) Each solid waste transport vehicle must display decals issued by the department that show the solid waste transporter permit number and permit expiration date.
    - (3) The application processing fee includes decals for one solid waste transport vehicle.
    - (4) Decals for additional solid waste transport vehicles covered by the permit are available for purchase at the time of application or any later time during the permit period for a fee of twenty-five dollars per vehicle.
    - (5) Additional decals may be purchased only for vehicles directly owned or operated by the permittee. Additional decals may not be purchased for vehicles owned or operated by a subcontractor working for the permittee. A solid waste transportation subcontractor shall apply for and obtain an individual solid waste transporter permit.
    - (6) New vehicle decals are required after a permit expires regardless of when the decal was purchased during the permit period.
  - b. Five thousand dollars for any resource recovery system unit.
  - c. One thousand dollars for any municipal waste landfill unit that receives on average less than twenty tons [18.2 metric tons] per day.
  - d. Three thousand dollars for any municipal waste landfill unit that receives on average from twenty tons [18.2 metric tons] per day to fifty tons [45.4 metric tons] per day.
  - e. Five thousand dollars for any municipal waste landfill unit that receives on average more than fifty tons [45.4 metric tons] per day to five hundred tons [453.5 metric tons] per day.
  - f. Twenty thousand dollars for any municipal waste landfill unit that receives on average more than five hundred tons [453.5 metric tons] per day.
  - g. Three thousand dollars for any surface impoundment unit. A surface impoundment receiving an average of more than ten tons [9.1 metric tons] of waste per day and which will be closed with the waste materials remaining in place must pay applicable fees for the appropriate size of industrial waste or special waste landfill unit.
  - h. One thousand dollars for any industrial waste or special waste unit that receives on average ten tons [9.1 metric tons] per day or less.

- i. Ten thousand dollars for any industrial waste or special waste unit that receives on average more than ten tons [9.1 metric tons] but less than one hundred tons [90.7 metric tons] per day.
  - j. Twenty thousand dollars for any industrial waste or special waste unit that receives on average one hundred tons [90.7 metric tons] or more per day.
  - k. Two thousand dollars for any inert waste landfill unit that receives on average more than forty tons [36.3 metric tons] per day.
2. Modifications of existing unexpired permits which are initiated by the department may require a nonrefundable application processing fee. Modifications of existing unexpired permits not initiated by the department that require major review require a nonrefundable processing fee with the modification request.
3. Permit transfers.
- a. Applicants for the transfer of permits for transporting solid waste shall pay, at the time the permit transfer application is filed, a nonrefundable application processing fee equivalent to the fee for a new permit. Decals for individual solid waste transport vehicles covered under the permit remain valid until the permit expiration date.
  - b. Applicants for the transfer of permits for solid waste management facilities shall pay, at the time the permit transfer application is filed, a nonrefundable application processing fee for all solid waste management units at the facility as follows:
    - (1) Five hundred dollars for each of the following units:
      - (a) Resource recovery system unit;
      - (b) Municipal waste landfill unit that receives on average five hundred tons [453.5 metric tons] or less per day;
      - (c) Surface impoundment unit;
      - (d) Industrial waste or special waste unit that receives on average ten tons [9.1 metric tons] or less per day; and
      - (e) Inert waste landfill unit that receives on average more than forty tons [36.3 metric tons] per day.
    - (2) Two thousand dollars for each of the following units:
      - (a) Municipal waste landfill unit that receives on average more than five hundred tons [453.5 metric tons] per day; and
      - (b) Industrial waste or special waste unit that receives on average more than ten tons [9.1 metric tons] per day.

**History:** Effective January 1, 2019; amended effective July 1, 2020; October 1, 2024.

**General Authority:** NDCC 23.1-08-03, 23.1-08-10; S.L. 2017, ch. 199, § 1

**Law Implemented:** NDCC 23.1-08-03, 23.1-08-10; S.L. 2017, ch. 199, § 23

### **33.1-20-15-02. Annual permit fee.**

The owners or operators of an activity or unit required to have a permit under these rules are subject to an annual permit fee for each permit. The fee period must begin each July first and the fee

must be paid by July thirty-first. All fees must be made payable to the North Dakota department of environmental quality. The annual permit fee is as follows:

1. For a resource recovery system unit five hundred dollars.
2. For industrial waste or special waste unit five hundred dollars.
3. For a municipal waste landfill unit receiving on average more than twenty tons [18.2 metric tons] per day but less than fifty tons [45.4 metric tons] per day five hundred dollars.
4. For a municipal waste landfill unit receiving on average more than fifty tons [45.4 metric tons] per day and less than five hundred tons [453.5 metric tons] per day one thousand dollars.
5. For a municipal waste landfill unit receiving on average more than five hundred tons [453.5 metric tons] per day five thousand dollars.
6. For a surface impoundment unit five hundred dollars.

**History:** Effective January 1, 2019; amended effective July 1, 2020.

**General Authority:** NDCC 23.1-08-03, 23.1-08-10; S.L. 2017, ch. 199, § 1

**Law Implemented:** NDCC 23.1-08-03, 23.1-08-10; S.L. 2017, ch. 199, § 23