Kansas Administrative Regulations

Department of Health and Environment

Article 29.—Solid Waste Management—Part 6. Financial Requirements.

28-29-84. Permit renewal; solid waste permit fees.

(a) General provisions. Each permit issued by the department for any solid waste disposal facility or area, processing facility, incinerator, transfer station, composting plant or area and reclamation facility may be renewed on or before the anniversary date of the permit each year in the following manner.

(1) Each solid waste facility operating in Kansas pursuant to a valid existing permit shall submit to the department, on or before the anniversary date of the permit, a report of the permitted activities on forms provided by the department.

(2) The annual permit renewal fee shall accompany the report. Action to approve the renewals of the permit shall not begin until such time as a properly completed report and the appropriate annual permit renewal fee are received by the department.

(b) Failure to submit. Failure to submit a complete annual report and the annual permit renewal fee on or before the anniversary date of the permit each year may subject the permit holder to denial, revocation, or suspension of the permit.

(c) Fee schedule. The fee for a permit to operate a solid waste disposal area or facility shall be as follows.

(1) The fee for an application for a proposed facility for which no permit has previously been issued by the department, or for reapplication due to loss of the permit resulting from departmental action, including revocation, denial or suspension shall be:

- Incinerator $5,000.00
- Industrial solid waste disposal area $3,000.00
- Municipal solid waste disposal area $5,000.00
- Processing facility $2,000.00
- Reclamation facility $2,000.00
- Solid waste compost facility $ 250.00

- Transfer station $1,000.00

(2) Each facility or disposal area operating pursuant to a valid, current permit issued by the department shall be required to pay an annual permit renewal fee. The annual permit renewal fees shall be:

- Incinerator $1,000.00
- Industrial solid waste disposal area $1,000.00
- Municipal solid waste disposal area $2,000.00
- Processing facility $1,000.00
- Reclamation facility $1,000.00
- Solid waste compost facility $ 250.00
- Transfer station $ 500.00

(d) Construction and demolition landfills.

(1) The fee for an application for a proposed construction and demolition disposal facility for which no permit has previously been issued by the department or as otherwise set forth in these regulations shall be as follows:

(A) each facility whose permit application projects receipt of less than 1,000 tons annually: $250.00;

(B) each facility whose permit application projects receipt of more than 1,000 and less than 10,000 tons annually: $500.00; and

(C) each facility whose permit application projects receipt of more than 10,000 tons annually: $1,000.00.

(2) Each facility operating pursuant to a valid, current permit issued by the department shall be required to pay an annual permit renewal fee. The annual permit renewal fee shall be as follows:

(A) for each facility receiving less than 1,000 tons annually: $125.00;

(B) for each facility receiving more than 1,000 and less than 10,000 tons annually: $250.00; and

(C) for each facility receiving more than 10,000 tons annually: $500.00.

(3) Fees for each facility reapplying for a permit due to loss of the permit resulting from departmental action, including revocation, denial or suspension shall be

determined in accordance with paragraph (d)(1) of this regulation based on the tonnage received the 12 months prior to the revocation, denial or suspension of the permit.

(4) To determine the annual fee due, the construction and demolition disposal facility may determine the volume of waste received during the previous year and convert this volume to an equivalent weight basis using the following conversion factor: 1 cubic yard = 1,250 pounds.

(e) Multiple activities. Any person conducting more than one of the activities listed in K.A.R. 28-29-84(c)(1) at one location shall pay a single fee. This fee shall be in the amount specified for the activity having the highest fee of those conducted.

(Authorized by K.S.A. 1993 Supp. 65-3406, as amended by L. 1994, Ch. 283, sec. 2; implementing K.S.A. 1993 Supp. 65-3407, as amended by L. 1994, Ch. 283, sec. 3; effective, T-28-3-15-93, March 15, 1993; effectiveMay 17, 1993; amended Aug. 28, 1995.)

***** Authenticated Kansas Administrative Regulation *****