

810-7-1-.19 State Fees on Hazardous Waste or Hazardous Substances. **(REPEALED)**

(1) Beginning on June 15, 2007 at 4:02 PM, pursuant to Act No. 2007-594, fees on waste received for disposal to be paid by the operators of each commercial site for the disposal of hazardous waste or hazardous substances are to be remitted as follows:

(a) Fees at the commercial facility located at Emelle, Alabama:

1. A base fee of \$21.60 per ton on all hazardous waste that is identified or listed under Section 3001 of the Resource Conservation and Recovery Act of 1976 as amended, ("RCRA") and on polychlorinated biphenyl ("PCB") wastes received for disposal which is required to be disposed of in a chemical waste landfill approved under the federal Toxic Substance Control Act ("TSCA"). After May 1, 2006, emission control dust/sludge from the primary production of steel in electric arc furnaces (K061) and any hazardous waste that is de-characterized and thereby rendered nonhazardous shall be exempt from the base fee levied by this subdivision.

2. A fee of \$83.60 (the base fee in item 1 above plus \$62) per ton on acute hazardous waste listed in 40 CFR 261.33(e) and having an EPA Hazardous Waste Number designation beginning with the letter "P", except residuals from incineration of such waste.

3. A fee of \$46.60 (the base fee in item 1 above plus \$25) per ton on toxic hazardous waste listed in 40 CFR 261.33(f) and having an EPA Hazardous Waste Number designation beginning with the letter "U", except residuals from incineration of such waste.

4. A fee of \$11.60 per ton on all other waste not subject to taxation in subparagraphs 1. through 3. at a commercial site for the disposal of hazardous waste and hazardous substances.

5. A fee of \$1.00 per ton on ALL wastes or hazardous substances disposed of at the facility.

(b) Fees at all facilities except the Emelle, Alabama location:

1. A base fee of \$41.60 per ton on all hazardous waste that is identified or listed under Section 3001 of the Resource Conservation and Recovery Act of 1976 as amended, ("RCRA") and on polychlorinated biphenyl ("PCB") wastes received for disposal which is required to be disposed of in a chemical waste landfill approved under the federal Toxic Substance Control Act ("TSCA"). After May 1, 2006, emission control dust/sludge from the primary production of steel in electric arc furnaces (K061) and any hazardous waste that is de-characterized and thereby rendered nonhazardous shall be exempt from the base fee levied by this subdivision.

2. A fee of \$103.60 (the base fee in item 1 above plus \$62) per ton on acute hazardous waste listed in 40 CFR 261.33(e) and having an EPA Hazardous Waste Number designation beginning with the letter "P", except residuals from incineration of such waste.

3. A fee of \$66.60 (the base fee in item 1 above plus \$25) per ton on toxic hazardous waste listed in 40 CFR 261.33(f) and having an EPA Hazardous Waste

Number designation beginning with the letter "U", except residuals from incineration of such waste.

4. A fee of \$11.60 per ton on all other waste not subject to taxation in subparagraphs (1) through (3) at a commercial site for the disposal of hazardous waste and hazardous substances.

5. A fee of \$1.00 per ton on ALL wastes or hazardous substances disposed of at the facility.

Author: Loretta Nelson

Authority: Sections 40-2A-7 (a)(5) and 22-30B-17, Code of Alabama 1975

History: New rule: Filed December 17, 2007, effective January 21, 2008.

Repealed: Filed November 20, 2013, effective December 25, 2013.

