

SUGGESTED SUBSTITUTE

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ENERGY AND ENVIRONMENT CABINET Department for Environmental Protection Division of Waste Management

401 KAR 45:250. Special waste permit fees.

RELATES TO: KRS 224.40

STATUTORY AUTHORITY: KRS 224.10-100, 224.40-305, 224.50-760~~(1)~~(d)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100(20) ~~authorizes the cabinet to promulgate an administrative regulation to establish/states that the cabinet may provide by administrative regulation for~~ a reasonable schedule of fees for the cost of processing applications for permits, exemptions, and partial exemptions. ~~[This chapter establishes standards for special waste sites or facilities.]~~ This administrative regulation establishes a fee schedule for the issuance and modification of special waste site or facility permits.

Section 1. Applicability. ~~[(1)]~~ The provisions of this administrative regulation shall apply to:

- (1) the owner or operator of each special waste site or facility required to apply for a permit, permit renewal, permit modification, or permit transfer, except publicly-owned facilities; ~~and~~;
- (2) ~~[The provisions of this administrative regulation shall also apply to]~~Special waste site or facility permit applications for the land application of biosolids~~[submitted on or after June 24, 1992].~~

Section 2. Filing Fees.

(1) Each permit application shall be accompanied by an appropriate filing fee determined as follows:

Application	Fee
(a) Notice of intent	\$500
(b) Request for alternate specification to design criteria or variance from regulatory requirements	\$500
(c) Formal application and modifications to expand the facility horizontally	\$5,000
(d) Construction/operation permit	\$500
(e) Renewal	\$500
(f) Permit modifications other than horizontal expansions:	
1. Vertical expansions	\$1,000
2. Modification to closure plan	\$500
3. Receipt of waste from new source	\$50
4. Change of ownership or transfer of an existing permitted facility	\$500
5. Cabinet mandated increase in financial assurance	\$0
6. Closure of a facility that is not under a current special waste facility permit	\$1,000
7. Modifications not otherwise specified	\$500

(g) Emergency permit	\$500
(h) Research, development and demonstration permit	\$2,500

(2) A filing fee shall be in the form of a check or money order and made payable to the Kentucky State Treasurer. Filing fees shall not be refundable.

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