

1 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

2 Solid and Hazardous Waste Commission/Hazardous Materials and  
3 Waste Management Division

4 6 CCR 1007-2

5 PART 1 - REGULATIONS PERTAINING TO SOLID WASTE SITES AND FACILITIES

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8 Amendment of Section 1.7.3 Annual Fees

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11 1) Section 1.7.3 is amended to read as follows:

12 1.7.3 ANNUAL FEES

13 (A) Applicability:

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17 (1) ~~An operating fee of \$1,000 per year shall be paid annually by s~~ Solid waste disposal sites  
18 and facilities ~~regulated under the following Parts~~ that are not ~~subject~~ required to pay the  
19 Solid Waste User Fee (section 25-16-104.5, C.R.S.) are required to pay an annual fee  
20 (30-20-109(2.5)(a), C.R.S.), ~~except Part 8 as noted below~~ as follows:
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- 22 a. ~~Reserved~~ Unattended landfills that are active and receiving waste - \$1,000.
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  - 24 b. ~~Reserved~~ Unattended landfills<sup>1</sup> in post-closure monitoring and/or maintenance - \$500.  
25 <sup>1</sup>Note: Monofill facilities that contain only coal combustion products and landfills  
26 owned by municipalities are exempt from this annual fee requirement.
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  - 28 c. ~~Part 9 (Surface Impoundment Facilities)~~ Facilities with one or more Type A waste  
29 impoundments but with no Type B waste impoundments - \$0.
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  - 31 d. Facilities with one or more Type B impoundments - \$1,000.
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  - 33 ~~de. Part 11 (Solid Wwaste Incinerator Ffacilities) - \$1,000,~~
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  - 35 ~~ef. Part 13 (Medical Wwaste Ffacilities), - \$1,000,~~
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  - 37 ~~fg. Part 14 (Compost Ffacilities),~~
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  - 39 i. Class I Composting facilities - \$0.
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  - 41 ii. Class II Composting facilities - \$100.
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  - 43 iii. Class III Composting facilities - \$1,000, and
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  - 45 h. Inactive facilities (facilities that have not accepted waste for more than one year, are  
46 not yet closed, and are unattended due to inactivity) that would be subject to the  
47 Solid Waste User Fee when active but are not paying the Solid Waste User Fee  
48 during this period of inactivity - \$500.
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~~g. Part 18 (Waste Grease Transporters, Facilities, and Personal Users of Waste Grease): Annual fee per Section 1.7.5 of these regulations, and~~

~~h. Unattended facilities regulated under Parts 1 and 2 of these regulations that do not pay fees under section 25-16-104.5, C.R.S., including:~~

~~i. Surface Impoundments,~~

~~ii. Landfills, and~~

~~iii. Monofills~~

(2) ~~With the exception of the facilities listed in Section 1.7.3(A)(1)(h),~~ the facilities listed in Section 1.7.3(A)(1) above are subject to the annual ~~operating~~ fee from the time such facilities first begin operating until final closure is certified and the cessation of post-closure care and monitoring has been approved by the Department in writing. The facilities listed in Section 1.7.3(A)(1)(h) are no longer subject to the Solid Waste User Fee and become subject to the annual fee once they have not accepted new solid waste for more than one year. and Facilities shall provide payment ~~to provide for~~ reimbursement ~~of to the~~ Department ~~for these~~ costs incurred in tracking, compliance monitoring, compliance assistance, ~~plan review,~~ enforcement, and other recurring activities that are reasonable and necessary to ensure compliance with these regulations.

~~(3) A post-closure fee of \$1,000 per year shall be paid annually by solid waste sites and facilities regulated under the following Parts that are not subject to the Solid Waste User Fee, except Part 8 as noted below:~~

~~a. Part 2,~~

~~b. Part 3,~~

~~c. Reserved~~

~~d. Reserved~~

~~e. Part 9 (Surface Impoundment Facilities),~~

~~f. Part 11 (Solid Waste Incinerator Facilities),~~

~~g. Part 13 (Medical Waste Facilities),~~

~~h. Part 14 (Compost Facilities),~~

~~i. Part 18 (Waste Grease Transporters, Facilities, and Personal Users of Waste Grease): Annual fee per Section 1.7.5 of these regulations, and~~

~~j. Unattended facilities regulated under Parts 1 and 2 of these regulations, including:~~

~~i. Surface impoundments,~~

~~ii. Landfills, and~~

~~iii. Monofills~~

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~~(4) The facilities listed in Section 1.7.3(A)(3) above are subject to the post-closure fee for the duration of the post-closure care period and shall provide payment to provide reimbursement to the Department for those costs incurred in tracking, compliance monitoring, compliance assistance, plan review, enforcement, and other recurring activities that are reasonable and necessary to ensure compliance with these regulations.~~

(3) Facilities that include sub-facilities in more than one of the above subsections (A)(1)(a) - (h) must pay the annual fee associated with each type of facility.

(B) **Payment:** All owners and operators of facilities subject to the fees of this section shall provide timely payment of the annual fees to the Treasurer of the State of Colorado, as provided in this section after being billed for such fees by the Department. All annual fees shall be credited to the Solid Waste Management Fund created in section 30-20-118, C.R.S. If the department determines that a site or facility is or has been subject to payment of the annual fee requirements subject to subsection (2.5) of this section and has not paid any portion of the amount of fees due, in addition to any other remedies the department may have in such circumstances as provided by law, the department may assess the site or facility an additional fee equivalent to double the amount of the estimated annual fee, without interest, that the site or facility would have paid the department if the fee had been paid as required by law. A late payment fee of 2% per month or portion thereof shall be assessed on any unpaid balance subject to the limitations of 24-79.5-101, et seq. C.R.S.