

990 CMR: HAZARDOUS WASTE FACILITY SITE SAFETY COUNCIL

990 CMR 16.00: DEVELOPER SITING FEES (M.G.L. c. 21D, § 4)

Section

- 16.01: Application
- 16.02: Procedure
- 16.03: Determination of Fee(s) Required

16.01: Application

990 CMR 16.01 shall apply to a developer who proposes to construct a new facility or to expand an existing facility where such activities are subject to M.G.L. c. 21D and 990 CMR 16.00.

16.02: Procedure

The developer shall deposit with the Council a certified check payable to the Commonwealth of Massachusetts at the times and in the amounts stated below.

(1) Submission of Notice of Intent. At the time of submission of a Notice of Intent, pursuant to 990 CMR 4.00, the following fee or fees shall be paid:

| <u>Total Project Construction Cost</u> | <u>Fee</u> |
|--|--|
| (a) less than or equal to \$1,000,000 | \$600 |
| (b) greater than \$1,000,000 but less than \$25,000,00 | 5,000 |
| (c) greater than or equal to \$25,000,000 | 10,000 |
| (d) hazardous waste landfill representing more than 20% of total project construction cost | 10,000 in addition to payment required under 990 CMR 16.00 |
| | (1)(a), (b) or (c) |

In the event that the developer has submitted a Notice of Intent prior to July 15, 1983, the fee(s) payable at the time of submission of a Notice of Intent shall be paid by September 15, 1983. Failure to submit the fee(s) by September 15, 1983, shall result in automatic rescission of the determination that the proposed project is feasible and deserving of state assistance.

(2) Final Socio-Economic Appendix. Within 30 days of Council determination that the Final Socio-Economic Appendix is adequate, pursuant to 990 CMR 10.03(5), the following fee or fees shall be paid:

| <u>Total Project Construction Cost</u> | <u>Fee</u> |
|--|--|
| (a) less than or equal to \$1,000,000 | \$5,400 |
| (b) greater than \$1,000,000 but less than \$25,000,000 | 45,000 |
| (c) greater than or equal to \$25,000,000 | 90,000 |
| (d) hazardous waste landfill representing more than 20% of total project construction cost | 90,000 in addition to payment required under 990 CMR 16.02 |
| | (2)(a), (b), or (c) |

16.03: Determination of Fee(s) Required

The payment(s) made along with the Submission of the Notice of Intent shall be based on the initial estimated construction cost of the facility. The payment(s) made subsequent to Council determination that the Final Socio-Economic Appendix is adequate shall be determined by the facility's construction cost, incorporating the requirements imposed on the facility's design by the negotiated siting agreement. In determining the fee(s), the Council

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16.03: continued

shall also take into account the cost imposed by the draft facility permit issued by the Department of Environmental Quality Engineering, pursuant to M.G.L. c. 21C, if such a draft permit has been issued.

REGULATORY AUTHORITY

990 CMR 16.00: M.G.L. c. 21D, § 4.