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STATE OF MAINE
DEPARTMENT OF
ENVIRONMENTAL PROTECTION



PAUL MERCER
COMMISSIONER

**SOLID WASTE
ANNUAL LICENSE & ANNUAL REPORT FEE
INFORMATION SHEET
May 5, 2016**

ANNUAL LICENSE FEE (38 M.R.S. § 352)

All licensed solid waste facilities are required to pay an annual license fee. These fees assist in supporting the costs associated with the Department’s ongoing license compliance activities. A facility’s annual license fee is due on the anniversary date of the license (i.e. the date the license was signed).

To simplify the payment process for annual license fees, invoices will be sent out monthly to all facilities with an anniversary date falling within that month. The amount of the annual license fee is variable dependent upon the type of facility being operated. A current fee sheet is attached for your information. To determine the fee that your facility will be assessed on an annual basis, locate the type of facility for which you are licensed in the left-hand column. Follow across to the middle column headed “License Fee” to locate the amount of the fee. If you hold multiple solid waste licenses from the Department, you will be assessed the appropriate fee for each facility at the time of the license anniversary date.

Example: Facility X is issued a license (or renewal of a long-pending disposal facility license) on February 10, 2015. The fee will be due annually beginning March 31, 2016.

38 M.R.S. §1310-N(6-D) allows a license for a solid waste facility, except those for a landfill, to be surrendered with Department approval. The Department allows this when a facility is closed in accordance with the solid waste management rules for that type of facility, once the appropriate form is filed. Once the Department completes the surrender, future licensing fees will not be assessed. The statute does not allow the surrender of licenses for landfills. However, once Department staff confirm closure of a landfill is completed, a landfill will not be billed for future licensing fees. A facility that has been placed on inactive status at the owner/operator’s request is not required to pay annual licensing fees while on inactive status.

ANNUAL REPORT FEE (38 M.R.S. § 1310-N(6-D))

Solid waste facilities which have been licensed or relicensed under applicable rules valid on or after May 24, 1989 remain in effect unless modified, revoked, or suspended under 38 M.R.S. § 341-D(3), or surrendered under 38 M.R.S. §1310-N(6-D). . Instead of relicensing, facilities are

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(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

SOLID WASTE ANNUAL LICENSE & ANNUAL REPORT FEE INFORMATION SHEET

required, in part, to comply with annual facility reporting rules and, beginning 5 years after the license issue date, to pay the associated annual report fee. The annual report fee assists in supporting the solid waste program's licensing and compliance (including reviews of annual reports) activities.

The annual report fee is to be paid at the time the annual report is submitted. . A current fee sheet is attached for your information. To estimate the annual report fee that your facility will be assessed on an annual basis beginning 5 years after the license issuance date, locate the type of facility for which you are licensed in the left-hand column. Follow across to the far right-hand column headed "Report Fee" to locate the amount of the fee. If you hold multiple solid waste facility licenses from the Department, you will be required to submit the appropriate fee for each facility license with the annual report.

Example: Facility X is issued a license (or renewal of a long-pending disposal facility license) in 2015, in accordance with rules valid on or after May 24, 1989. Submission of the first annual report will be required in 2016, in accordance with the schedule in Chapter 400, Section 3(E) of the Solid Waste Management Rules. No fee is due with the report until 2020 – five years after the license issuance date.

38 M.R.S. §1310-N(6-D) allows a license for a solid waste facility, except those for a landfill, to be surrendered with Department approval. The Department allows this when a facility is closed in accordance with the solid waste management rules for that type of facility, once the appropriate form is filed. Once the Department completes the surrender, future annual reports are not required, and annual report fees will not be assessed. The statute does not allow the surrender of licenses for landfills, and landfills are required to continue post-closure care for a number of years. Until the Department confirms the end of the post-closure period, landfill owner/operators will remain responsible for filing annual reports and paying the annual report fees. A facility that has been placed on inactive status at the owner/operator's request is required to submit annual reports, and pay annual reporting fees, while on inactive status.

Please note that these fees are based on the Department's fee schedule. This schedule is adjusted in November of each year. The current fee schedule is available at <http://www.state.me.us/dep/feesched.pdf>. The annual license fee is found in the Licensing Fee column. The annual report fee will be 20% of the amount in the Licensing Fee column plus 50% of the amount in the Processing Fee column; this calculation is based on the annual report fees for 5 years being the same as the relicensing fee would have been.