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# Category 30 Fee Exemption Form

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October 24, 2022

MRF Stakeholder Meeting

# Category 30 Fee Exemption Overview

- Generators/haulers must pay a per ton tipping fee
- Collected by landfills, submitted quarterly to state
- Several waste categories have exemptions
- A Statutory exemption exists for MRF residue
- The fee is \$0.15 vs. \$12.997 per ton
- <https://dnr.wisconsin.gov/sites/default/files/topic/Landfills/EnvironmentalFeeSummary.pdf>

| Waste Category | Fees Authorized in Statutes     |                               |                                               |                                  |                                | Total Statutory Fees (\$/ton) | Fee Authorized by Adm. Code                       |                     |
|----------------|---------------------------------|-------------------------------|-----------------------------------------------|----------------------------------|--------------------------------|-------------------------------|---------------------------------------------------|---------------------|
|                | Groundwater Fee (Paid Annually) | Well Comp Fee (Paid Annually) | Environmental Repair Fund Fee (Paid Annually) | Siting Board Fee (Paid Annually) | Recycling Fee (Paid Quarterly) |                               | Landfill Licensing Fee Surcharge (Paid Quarterly) | Total Fees (\$/ton) |
| 1              | \$0.10                          | \$0.04                        | \$5.70                                        | \$0.007                          | \$7.00                         | \$12.847                      | \$0.15                                            | \$12.997            |
| 2              | \$0.10                          | \$0.04                        | \$0.20                                        | \$0.007                          | Exempt                         | \$0.347                       | \$0.15                                            | \$0.497             |
| 3              | \$0.10                          | \$0.04                        | \$0.20                                        | \$0.007                          | Exempt                         | \$0.347                       | \$0.15                                            | \$0.497             |
| 4              | \$0.10                          | \$0.04                        | \$0.20                                        | \$0.007                          | Exempt                         | \$0.347                       | \$0.15                                            | \$0.497             |
| 5              | \$0.10                          | \$0.04                        | \$5.70                                        | \$0.007                          | \$7.00                         | \$12.847                      | \$0.15                                            | \$12.997            |
| 6              | \$0.10                          | \$0.04                        | \$5.70                                        | \$0.007                          | \$7.00                         | \$12.847                      | \$0.15                                            | \$12.997            |
| 15             | \$0.01                          | Exempt                        | \$0.01                                        | \$0.007                          | \$7.00                         | \$7.027                       | \$0.15                                            | \$7.177             |
| 17             | \$0.01                          | Exempt                        | \$0.01                                        | \$0.007                          | \$7.00                         | \$7.027                       | \$0.15                                            | \$7.177             |
| 18             | \$0.01                          | Exempt                        | \$0.01                                        | \$0.007                          | \$7.00                         | \$7.027                       | \$0.15                                            | \$7.177             |
| 19             | Exempt from all statutory fees  |                               |                                               |                                  |                                | \$0.000                       | Exempt                                            | \$0.000             |
| 20             | \$0.10                          | \$0.04                        | \$0.20                                        | \$0.007                          | Exempt                         | \$0.347                       | \$0.15                                            | \$0.497             |
| 21             | Exempt from all statutory fees  |                               |                                               |                                  |                                | \$0.000                       | Exempt                                            | \$0.000             |
| 22             | Exempt from all statutory fees  |                               |                                               |                                  |                                | \$0.000                       | Exempt                                            | \$0.000             |
| 23             | Exempt from all statutory fees  |                               |                                               |                                  |                                | \$0.000                       | Exempt                                            | \$0.000             |
| 24             | \$0.10                          | \$0.04                        | \$5.70                                        | \$0.007                          | Exempt                         | \$5.847                       | \$0.15                                            | \$5.997             |
| 25             | \$0.10                          | \$0.04                        | \$5.70                                        | \$0.007                          | \$7.00                         | \$12.847                      | \$0.15                                            | \$12.997            |
| 26             | \$0.10                          | \$0.04                        | \$4.05                                        | \$0.007                          | Exempt                         | \$4.197                       | \$0.15                                            | \$4.347             |
| 27             | \$0.10                          | \$0.04                        | \$5.70                                        | \$0.007                          | Exempt                         | \$5.847                       | \$0.15                                            | \$5.997             |
| 28             | Exempt from all statutory fees  |                               |                                               |                                  |                                | \$0.000                       | Exempt                                            | \$0.000             |
| 29             | Exempt from all statutory fees  |                               |                                               |                                  |                                | \$0.000                       | \$0.15                                            | \$0.15              |
| 30             | Exempt from all statutory fees  |                               |                                               |                                  |                                | \$0.000                       | \$0.15                                            | \$0.15              |
| 31             | Exempt from all statutory fees  |                               |                                               |                                  |                                | \$0.000                       | \$0.15                                            | \$0.15              |
| 32             | Exempt from all statutory fees  |                               |                                               |                                  |                                | \$0.000                       | Exempt                                            | \$0.000             |
| 33             | Exempt from all statutory fees  |                               |                                               |                                  |                                | \$0.000                       | \$0.15                                            | \$0.15              |

# Category 30 Fee Exemption Overview

- MRF must meet definition and be self-certified and compliant
- Exempt MRF residue is lesser of:
  - amount generated
  - a max of 10% of accepted weight at MRF calculated quarterly

## Residue is:

- contaminated recyclables that were not intentionally or neglectfully contaminated,
- non-recyclable materials that arrive in recycling loads,
- residuals generated by operations and other materials that cannot be recycled that have been separated from recyclable materials by being run through a MRF's processing line or that have been otherwise separated from materials which will be recycled or reused.

# Category 30 Fee Exemption Overview

- MRFs need to certify they are Cat 30 eligible to landfills
- Above residue rate/10%, MRF residue shall be landfilled as Cat 1 (MSW)
- Failure to pay full fees results in ineligibility for fee exemptions for all residue landfilled until fees are paid in full
- <https://dnr.wi.gov/files/pdf/pubs/wa/wa1755.pdf>

# Tracking Conundrum

- MRFs know incoming weight and residue percent
- Landfills have to pay the DNR a set amount of Cat 30 and potential amount of Cat 1 for each MRF
- MRFs can use multiple landfills, landfills can accept from multiple MRFs
- Stats give dept authority to collect certification of eligibility, weights and “and any other information needed to determine eligibility for the exemption”

**Directions:**

**Qualified Material Recovery Facilities (MRFs)** - provide the following information, either in the template form provided or in a format of your choice (required under s. 289.63(6)(d)3.a., 289.64(4)(d)3.a., 289.645(4)(h)3.a., 289.67(1)(fj)3.a., Wis. Stats.) for each landfill that accepted waste eligible for Category 30 from your facility. When completing this form round to the nearest hundredth (two decimal places). This information shall be submitted at the end of each calendar year quarter.

**Landfills** - submit all information received for the previous quarter to the department, either in the template form provided or in a format of your choice (required under s. 289.63(6)(d)3.b., 289.64(4)(d)3.b., 289.645(4)(h)3.b., 289.67(1)(fj)3.b., Wis. Stats.) along with form 4400-123A "Recycling Fee and License Fee Surcharge Report and Invoice".

**I. Qualified MRF Information**

Qualified MRF Name \_\_\_\_\_ FID # \_\_\_\_\_

Contact Name \_\_\_\_\_ Title \_\_\_\_\_

Email \_\_\_\_\_ Phone # \_\_\_\_\_

Calendar Year \_\_\_\_\_  Q1 (Jan 1-Mar 31)  Q2 (Apr 1-Jun 30)  Q3 (Jul 1-Sep 30)  Q4 (Oct 1-Dec 31)

**II. Eligible Category 30 Waste Calculation**

A. Tons of residue (see WA1755) generated by qualified MRF \_\_\_\_\_

B. Tons of material accepted at qualified MRF \_\_\_\_\_

C. Eligible residue cap (Line B\*.10=) \_\_\_\_\_

D. Eligible Category 30 waste (Lesser of Line A or C) \_\_\_\_\_

**Note:** (under s. 289.63(6)(d)3.c., 289.64(4)(d)3.c., 289.645(4)(h)3.c., 289.67(1)(fj)3.c., Wis. Stats.), a qualified MRF that claims exemptions for residue that exceeds the eligible amount is ineligible for claiming Category 30/31 waste until it pays the balance of fees owed.

### III. Disposal Information

E. Landfill that accepted waste eligible for Category 30 from your facility:

Landfill Name: \_\_\_\_\_ Landfill License #: \_\_\_\_\_

F. Tons claimed of as Category 30 waste at this landfill \_\_\_\_\_

### IV. Exceedance Determination

G. Tons claimed as Category 30 at all landfills \_\_\_\_\_

H. Ineligible tons that require correction to Category 1 waste (Line G. – Line D.) \_\_\_\_\_

### V. Certification

- This qualified MRF is eligible for claiming Category 30 waste for the amount of residue generated up to ten percent of its accepted material because it meets the requirements of s. 289.63(6)(d)1.a., Wis. Stats., i.e. the facility has been self-certified as a material recovery facility under s. NR 544.16(2), Wis. Adm. Code, and is in compliance with its approved plan of operation (if it has one) for the entire calendar quarter this form is being submitted for.

As a representative of the qualified MRF, I certify that this document is correct to the best of my knowledge.

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)



# Plan

- Opportunity for feedback and discussion
- Landfill quarterly billing has recently been made electronic
- Hope to be able to submit easily in 2023

# Questions? Suggestions?

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Save... Print... Clear Data

State of Wisconsin  
Department of Natural Resources  
PO Box 7921, Madison WI 53707-7921  
[dnr.wi.gov](http://dnr.wi.gov)

**DRAFT** MRFs Category 30 Waste Eligibility  
Determination Worksheet  
Form 4400-312 (08/17)

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Contact Name \_\_\_\_\_ Title \_\_\_\_\_  
Email \_\_\_\_\_ Phone # \_\_\_\_\_  
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As a representative of the qualified MRF, I certify that this document is correct to the best of my knowledge.

\_\_\_\_\_  
(Name) (Signature) (Date)