

**224.43-500 Environmental remediation fee to be paid by generators of waste -- Conversion formula -- Report.**

- (1) As used in this section:
  - (a) "Environmental remediation fee" means a one dollar and seventy-five cents (\$1.75) fee paid per ton of waste by generators of waste and collected at transfer stations and waste disposal facilities that is in addition to all other applicable fees and taxes assessed prior to January 1, 2003;
  - (b) "Transfer station" means a facility permitted by the cabinet where waste is transferred from one (1) vehicle to another for transportation to a municipal solid waste disposal facility; and
  - (c) "Public road" means any city, county, state, federal, or limited access street, highway, or turnpike, including bridges and bridge approaches.
- (2) The environmental remediation fee levied under this section is in addition to all other applicable fees and taxes assessed prior to January 1, 2003. Notwithstanding any law, franchise, or contract to the contrary, the owner or operator of a transfer station or municipal solid waste disposal facility, or the person who collects waste and delivers such waste to a transfer station or municipal solid waste disposal facility may pass through and obtain from the generator any environmental remediation fee required under this section.
- (3) The environmental remediation fee shall be paid by generators of waste to be disposed of at a municipal solid waste disposal facility and collected by waste transfer stations or municipal solid waste disposal facilities in the Commonwealth. No environmental remediation fee shall be collected at a municipal solid waste disposal facility on waste for which the fee has been paid at a transfer station to the disposal facility. The cabinet shall, by administrative regulation, adopt a conversion formula to allow assessment of the fee by transfer stations that do not have scales. For loads of waste weighing less than one (1) ton, the environmental remediation fee shall be one dollar and seventy-five cents (\$1.75).
- (4) Not later than thirty (30) days following the last day of each calendar quarter, every owner or operator of a transfer station or municipal solid waste disposal facility shall remit to the cabinet the environmental remediation fee collected during the prior quarter, with a report stating the number of tons of waste for which the environmental remediation fee was collected.

**Effective:** July 12, 2006

**History:** Amended 2006 Ky. Acts ch. 21, sec. 1, effective July 12, 2006. -- Created 2002 Ky. Acts ch. 342, sec. 2, effective July 15, 2002.