

Fiscal Estimate — 2009 Session

- Original Updated
 Corrected Supplemental

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number NR 660

Subject

Rules Related to Hazardous Waste Generator Fees and the Definition of Large Quantity Generators and Small Quantity Generators

Fiscal Effect

- State: No State Fiscal Effect
 Indeterminate

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

- Increase Costs — May be possible to absorb within agency's budget.

- Yes No

- Decrease Costs

Local: No Local Government Costs

- Indeterminate

1. Increase Costs
 Permissive Mandatory
 2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
 4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Chapter 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

Rule Summary:

The changes to Chapter NR 660 create definitions for large quantity generators (LQGs) of hazardous waste and small quantity generators (SQGs) of hazardous waste. The 2009 Wisconsin Act 28 (2009-11 Budget) created new statutory fees for the two types of generators, and required that the Department define these generators in administrative rules.

Background:

The Environmental Repair Fee for Generators of Hazardous Waste is a statutorily required base fee/tonnage fee; the revenue from this fee goes into the Environmental Management Account. Previous statutory language stated all LQGs and SQGs of hazardous waste who were required to submit an annual hazardous waste report were required to pay a base fee of \$210, and \$20/ton for hazardous waste generated during the reporting year. The per ton fee did not apply to any wastes that were recycled or reused, and if a facility recycled or reused all of their wastes, they were not required to pay the base fee. As a way to generate more revenue for use in implementing Wisconsin's hazardous waste management program, the 2009 Wisconsin Act 28 amended the statutory language by increasing the base fee from \$210 to \$350 for SQGs and from \$210 to \$470 for LQGs, and by increasing the maximum fee paid from \$17,000 to \$17,500 per year. In addition, the base fee now applies to all generators who are required to report, regardless of whether they recycled or reused any or all of their wastes. The per ton fee remains at \$20/ton.

Fiscal Estimate:

The most recent data for number of Hazardous Waste Generators is from 2008: 733 SQGs and 448 LQGs. Of the total SQGs, 390 SQGs reported fees, leaving 343 SQGs new to paying the revised fees. Of the total LQGs, 288 reported fees, leaving 160 LQGs new to paying the revised fees.

Long-Range Fiscal Implications

None

Prepared By:	Telephone No.	Agency
Joe Polasek	266-2794	Department of Natural Resources
Authorized Signature	Telephone No.	Date (mm/dd/ccyy)
	266-2794	

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**Page 2 Assumptions Narrative
 Continued**

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number NR 5XX

Assumptions Used in Arriving at Fiscal Estimate – Continued

Revenue Increase to Previous Payers:

Number of Previous Payers	Base Fee Increase	Revenue Increase
SQG = 390	SQG = \$140	SQG = \$54,600
LQG = 288	LQG = \$260	LQG = \$74,800
		Total = \$129,480

Revenue Increase to New Payers:

Number of New Payers	New Fee	Revenue from New Payers
SQG = 343	SQG = \$350	SQG = \$120,500
LQG = 160	LQG = \$470	LQG = \$ 75,200
		Total = \$195,250

It is estimated that based on the number of 2008 HW generators paying the previous fee at the \$17,000 previous maximum, the new revenue with the shift to the new \$17,500 maximum will be \$2,731.

Total estimate new state revenue: \$327,461.

Local Fiscal Estimate:

Over the last 3 years, on average 17 Local Units of Government (13 SQGs & 4 LQGs) generated hazardous waste at a level which required them to submit an annual report. Of those 17, on average 3 (2 SQGs & 1LQG) recycled or reused all of their wastes, so they were not required to pay the base fee (based on the previous statutory language).

Number of Previous Payers	Base Fee Increase	Cost Increase
SQG = 11	SQG = \$140	SQG = \$1,540
LQG = 3	LQG = \$260	LQG = \$780
		Total = \$2,320

Number of New Payers	New Fee	Costs to New Payers
SQG = 2	SQG = \$350	SQG = \$700
LQG = 1	LQG = \$470	LQG = \$470
		Total = \$1,170

Total Additional Costs for Local Governments = \$3,490

Fiscal Estimate Worksheet — 2009 Session
 Detailed Estimate of Annual Fiscal Effect

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One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

None

Annualized Costs:		Annualized Fiscal Impact on State Funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations — Salaries and Fringes		\$	\$ -
(FTE Position Changes)		(FTE)	(- FTE)
State Operations — Other Costs			-
Local Assistance			-
Aids to Individuals or Organizations			-
Total State Costs by Category		\$	\$ -
B. State Costs by Source of Funds		Increased Costs	Decreased Costs
GPR		\$	\$ -
FED			-
PRO/PRS			-
SEG/SEG-S			-
State Revenues	Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Revenue	Decreased Revenue
GPR Taxes		\$	\$ -
GPR Earned			-
FED			-
PRO/PRS			-
SEG/SEG-S		327,500	-
Total State Revenues		\$ 327,500	\$ -

Net Annualized Fiscal Impact

	<u>State</u>	<u>Local</u>
Net Change in Costs	\$ _____	\$ 3,500
Net Change in Revenues	\$ 327,500	\$ _____

Prepared By: Joe Polasek	Telephone No. 266-2794	Agency Department of Natural Resources
Authorized Signature	Telephone No. 266-2794	Date (mm/dd/ccyy)