

Act submittal to the state emergency response board, local emergency planning committee and fire departments. If a batch plant is relocated into a county or fire district that had previously received the submittal, the owner or operator shall submit only the Batch Plan Relocation Form to the local emergency planning committee, fire departments where the batch plant is located and the state emergency response board with the state emergency response board identification number.

(6) Except as provided under s. SERB 1.07, the appropriate fee required under this section is:

(a) For facilities submitting inventory forms listing one hazardous chemical and a maximum daily amount of less than 100,000 pounds, \$150. Facilities with an actual maximum daily amount of 100,000 pounds or more, \$180.

(b) For facilities submitting inventory forms listing 2 to 10 hazardous chemicals and a cumulative actual maximum daily amount of less than 100,000 pounds, \$300. Facilities with a cumulative actual maximum daily amount of \$100,000 pounds or more, \$360.

(c) For facilities submitting inventory forms listing 11 to 100 hazardous chemicals and a cumulative actual maximum daily amount of less than 100,000 pounds, \$450. Facilities with a cumulative actual maximum daily amount of 100,000 pounds or more, \$540.

(d) For facilities submitting inventory forms listing 101 to 200 hazardous chemicals and a cumulative actual maximum daily amount of less than 100,000 pounds, \$550. Facilities with a cumulative actual maximum daily amount of 100,000 pounds or more, \$660.

(e) For facilities submitting inventory forms listing 201 to 300 hazardous chemicals and a cumulative actual maximum daily amount of less than 100,000 pounds, \$650. Facilities with a cumulative actual maximum daily amount of 100,000 pounds or more, \$780.

(f) For facilities submitting inventory forms listing 301 to 400 hazardous chemicals and a cumulative actual maximum daily amount of less than 100,000 pounds, \$750. Facilities with a cumulative actual maximum daily amount of 100,000 pounds or more, \$900.

(g) For facilities submitting inventory forms listing 401 to 500 hazardous chemicals and a cumulative actual maximum daily amount of less than 100,000 pounds, \$850. Facilities with a cumulative actual maximum daily amount of \$100,000 pounds or more, \$1020.

(h) For facilities submitting inventory forms listing over 500 hazardous chemicals and a cumulative actual maximum daily amount of less than 100,000 pounds, \$950. Facilities with a cumulative actual maximum daily amount of \$100,000 pounds or more, \$1140.

(i) For temporary construction facilities submitting plans and specifications or contractual documents and a Construction Site Emergency Response and Hazardous Chemical Report, \$20.

(j) For batch plants submitting an inventory form specifying the hazardous chemicals that will be on-site or a copy of the OSHA HazCom

Chemical Inventory and the Construction Site Emergency Response and Hazardous Chemical Report form, \$20.

History: Cr. Register, January, 1990, No. 409, eff. 2-1-90; emerg. renum. (3) to be (3) and (4) and am., cr. (5), eff. 2-26-92; r. and recr. (3), cr. (4) to (6), Register, January, 1993, No. 445, eff. 2-1-93.

SERB 1.05 Surcharge. An owner or operator who fails to pay a fee under s. SERB 1.03 or 1.04 on or before its due date shall pay a surcharge of 20% of the unpaid balance of the fee due.

History: Cr. Register, January, 1990, No. 409, eff. 2-1-90; am. Register, April, 1994, No. 460, eff. 5-1-94.

SERB 1.06 Exemptions. A facility is not required to pay a fee under s. SERB 1.03 if any of the following apply:

- (1) A facility meets the exemption criteria in s. 166.20 (7) (d), Stats.
- (2) A facility has submitted a planning notification fee under s. 166.20 (7) (c) 1, Stats.

History: Cr. Register, January, 1990, No. 409, eff. 2-1-90.

SERB 1.07 Exemptions. A facility is not required to pay a fee under s. SERB 1.04 if a facility meets the exemption criteria in s. 166.20 (7) (d), Stats., any of the following apply:

- (1) The facility meets the exemption criteria in s. 166.20 (7) (d), Stats.
- (2) A facility is not required to pay a fee under s. SERB 1.04 (6) (a) to (h) if it is a temporary construction facility or a batch plant reporting under s. SERB 1.04 (3) to (5) unless the facility or batch plant chooses to file as under s. SERB 1.04 (1).
- (3) The facility is a petroleum marketing facility pursuant to s. 166.20 (1) (gm), Stats.
- (4) The facility has sand, gravel or both containing silica or other low hazardous substances regularly present in the sand, gravel or both on-site. If a facility has other hazardous substances present on-site in amounts pursuant to s. 166.20, Stats., the sand, gravel or both present does not count in the fee calculation. All other s. 166.20, Stats., regulated hazardous materials shall be included in the calculation of the fee. Whether or not a fee is due, all hazardous substances regulated under s. 166.20, Stats., shall be reported.

History: Cr. Register, January, 1990, No. 409, eff. 2-1-90; emerg. am., cr. (1) to (4), eff. 2-26-92; r. and recr., Register, January, 1993, No. 445, eff. 2-1-93.

Note: A copy of the inventory fee statement, Tier Two form, planning notification fee statement, and a Construction Site Emergency Response and Hazardous Chemical Report may be obtained by contacting the State Emergency Response Board, 4802 Sheboygan Ave., Room 99A, P.O. Box 7865, Madison, Wisconsin 53707-7865, telephone 608-267-7314.