

# **ANNUAL FEE REPORT**

July 1, 2020 through June 30, 2021

**NEW MEXICO ENVIRONMENT DEPARTMENT  
HAZARDOUS WASTE BUREAU**

October 2021

**New Mexico Environment Department  
Hazardous Waste Bureau**

Fee Collection during FY2021 (July 01, 2020 - June 30, 2021)

Under the provisions of 20.4.2.202 NMAC: "NMED shall review the amount of fees collected and money expended administering the Hazardous Waste Management Program for the prior state fis submit a report on its review to the Board. The report shall include for each facility the amount of number and types of permitting actions taken, submittals reviewed, a summary of the time require review or permitting action, and an analysis of the cost of regulatory oversight."

|                                   |                               |
|-----------------------------------|-------------------------------|
| <b>HWB Annual Fees</b>            | <b>\$ 2,327,450.00</b>        |
| <b>HWB Document Review Fees *</b> | <b>\$ 1,396,000.00</b>        |
| <b>WIPP Grant**</b>               | <b>\$ 455,320.89</b>          |
| <b>Total Fees Received</b>        | <b><u>\$ 4,178,770.89</u></b> |

**Note:**

\* Includes permit renewals and late fees

\*\* WIPP Grant during FY2021. Fee letters state fees will be credited to the federal grant.

**Fees Received by Facility for FY2021**

| <b>Permit Fees</b>                    | <b>Document Fees Received FY21</b> | <b>2020 Annual Fee</b> | <b>Total Fees Received</b> |
|---------------------------------------|------------------------------------|------------------------|----------------------------|
| Advanced Chemical Treatment           | \$ 1,800.00                        | \$ 3,000.00            | \$ 4,800.00                |
| Cannon Air Force Base                 | \$ 29,000.00                       | \$ 65,300.00           | \$ 94,300.00               |
| Fort Bliss                            | \$ 27,000.00                       | \$ 7,000.00            | \$ 34,000.00               |
| Fort Wingate Depot Activity           | \$ 10,000.00                       | \$ 94,500.00           | \$ 104,500.00              |
| Holloman Air Force Base               | \$ 5,000.00                        | \$ 26,400.00           | \$ 31,400.00               |
| Kirtland Air Force Base               | \$ 61,000.00                       | \$ 51,000.00           | \$ 112,000.00              |
| Los Alamos National Laboratory        | \$ 663,100.00                      | \$ 1,539,000.00        | \$ 2,202,100.00            |
| Melrose Range                         | \$ -                               | \$ 7,000.00            | \$ 7,000.00                |
| NASA                                  | \$ 150,500.00                      | \$ 69,500.00           | \$ 220,000.00              |
| Navajo Refining Company               | \$ 36,000.00                       | \$ 60,500.00           | \$ 96,500.00               |
| PNM Person Generating Station         | \$ -                               | \$ -                   | \$ -                       |
| Safety Kleen Albuquerque              | \$ -                               | \$ 12,000.00           | \$ 12,000.00               |
| Safety Kleen Farmington               | \$ -                               | \$ 6,000.00            | \$ 6,000.00                |
| Sandia National Laboratories          | \$ 49,600.00                       | \$ 57,750.00           | \$ 107,350.00              |
| Spartan Technologies                  | \$ 8,000.00                        | \$ 6,500.00            | \$ 14,500.00               |
| Transwestern Pipeline                 | \$ 9,000.00                        | \$ 5,500.00            | \$ 14,500.00               |
| Triassic Park Disposal Facility       | \$ -                               | \$ -                   | \$ -                       |
| Waste Isolation Pilot Plant *         | \$ -                               | \$ 44,500.00           | \$ 44,500.00               |
| Western Refining Company - Bloomfield | \$ 10,000.00                       | \$ 30,000.00           | \$ 40,000.00               |
| Western Refining Company - Gallup     | \$ 132,000.00                      | \$ 20,500.00           | \$ 152,500.00              |
| White Sands Missile Range             | \$ 204,000.00                      | \$ 221,500.00          | \$ 425,500.00              |
| <b>Totals</b>                         | <b>\$ 1,396,000.00</b>             | <b>\$ 2,327,450.00</b> | <b>\$ 3,723,450.00</b>     |

**Note:**

\* Federal Grant FY2021. Fee letters state:Fees will be credited to grant if paid by due date.

The following table provides a listing of the fees collected and the associated hours of staff during FY2021 for each facility. The Total Annual Fee Amount Received is the assessment of the annual fee based on unit types at the facility. The annual fees are to cover miscellaneous items, non-specific tasks, related to the facility such as meetings and site visits. Total Miscellaneous Hours are the hours associated to non-specific facility tasks. Total Amount Received is the amount for all fees collected under 20.4.2 NMAC which include annual and document review fees. Total Hours list the hours associated with the facility. The \$98.22 hourly rate is based on a formula relating to cost associated with staff and contractual support such as salaries, benefits, and operating costs (rent, phones, etc.) and is adjusted for inflation based on inflation from the calculated baseline hourly rate of \$94.44 in January 2019 used to determine costs for the revised fee regulations that became effective on March 5, 2020. The hourly rate is multiplied by the hours to determine costs related to the facility in a given year.

| FY21   | Annual Fee Amount Received versus Miscellaneous Hours |                           |                           |                        | Total Amount Received versus Total Hours |             |                   |                        |
|--|---|---------------------------|---------------------------|------------------------|--|-------------|-------------------|------------------------|
|  | Annual Fee Amount Received                            | Total Miscellaneous Hours | Miscellaneous at \$98.22* | Difference at \$98.22* | Total Amount Received                    | Total Hours | Total at \$98.22* | Difference at \$98.22* |
| <b>Advance Chemical Treatment/Rinchem</b>    |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 3,000  | 336.75                    | \$ 33,076                 | \$ (30,076)            | \$ 1,800                                 | 642.00      | \$ 63,057         | \$ (61,257)            |
| <b>Cannon Air Force Base</b>                 |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 65,300   | 145.00                    | \$ 14,242                 | \$ 51,058              | \$ 29,000                                | 250.25      | \$ 24,580         | \$ 4,420               |
| <b>Fort Bliss</b>                            |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 7,000  | 41.00                     | \$ 4,027                  | \$ 2,973               | \$ 27,000                                | 98.50       | \$ 9,675          | \$ 17,325              |
| <b>Fort Wingate Depot Activity</b>           |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 94,500   | 118.75                    | \$ 11,664                 | \$ 82,836              | \$ 10,000                                | 872.75      | \$ 85,722         | \$ (75,722)            |
| <b>Holloman Air Force Base</b>               |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 26,400   | 126.00                    | \$ 12,376                 | \$ 14,024              | \$ 5,000                                 | 880.75      | \$ 86,507         | \$ (81,507)            |
| <b>Kirtland Air Force Base</b>               |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 51,000   | 1827.50                   | \$ 179,497                | \$ (128,497)           | \$ 61,000                                | 2244.00     | \$ 220,406        | \$ (159,406)           |
| <b>Los Alamos National Laboratory *</b>      |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 1,539,000  | 2817.75                   | \$ 276,759                | \$ 1,262,241           | \$ 663,100                               | 5417.00     | \$ 532,058        | \$ 131,042             |
| <b>Melrose Air Force Range</b>               |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 7,000  | 15.00                     | \$ 1,473                  | \$ 5,527               | \$ -                                     | 496.50      | \$ 48,766         | \$ (48,766)            |
| <b>NASA White Sands Test Facility</b>        |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 69,500   | 116.75                    | \$ 11,467                 | \$ 58,033              | \$ 150,500                               | 1416.50     | \$ 139,129        | \$ 11,371              |
| <b>Navajo Refining Corporation</b>           |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 60,500   | 311.25                    | \$ 30,571                 | \$ 29,929              | \$ 36,000                                | 794.75      | \$ 78,060         | \$ (42,060)            |
| <b>PNM Persons Generating Station</b>        |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ -  | 0.00                      | \$ -                      | \$ -                   | \$ -                                     | 0.00        | \$ -              | \$ -                   |
| <b>Safety-Kleen Albuquerque</b>              |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 12,000   | 390.00                    | \$ 38,306                 | \$ (26,306)            | \$ -                                     | 8.00        | \$ 786            | \$ (786)               |
| <b>Safety-Kleen Farmington</b>               |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 6,000  | 378.75                    | \$ 37,201                 | \$ (31,201)            | \$ -                                     | 50.00       | \$ 4,911          | \$ (4,911)             |
| <b>Sandia National Laboratories</b>          |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 57,750   | 128.00                    | \$ 12,572                 | \$ 45,178              | \$ 49,600                                | 846.00      | \$ 83,094         | \$ (33,494)            |
| <b>Sparton Technology</b>                    |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 6,500  | 180.00                    | \$ 17,680                 | \$ (11,180)            | \$ 8,000                                 | 932.80      | \$ 91,620         | \$ (83,620)            |
| <b>Triassic Park Disposal Facility</b>       |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ -  | 3.00                      | \$ 295                    | \$ (295)               | \$ -                                     | 0.00        | \$ -              | \$ -                   |
| <b>Transwestern Pipeline</b>                 |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 5,500  | 374.50                    | \$ 36,783                 | \$ (31,283)            | \$ 9,000                                 | 69.75       | \$ 6,851          | \$ 2,149               |
| <b>Waste Isolation Pilot Plant **</b>        |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 44,500   | 3008.25                   | \$ 295,470                | \$ (250,970)           | \$ -                                     | 3537.00     | \$ 347,404        | \$ (347,404)           |
| <b>Western Refining Company - Bloomfield</b> |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 30,000   | 124.50                    | \$ 12,228                 | \$ 17,772              | \$ 10,000                                | 298.25      | \$ 29,294         | \$ (19,294)            |
| <b>Western Refining Company - Gallup</b>     |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 20,500   | 227.50                    | \$ 22,345                 | \$ (1,845)             | \$ 132,000                               | 1035.50     | \$ 101,707        | \$ 30,293              |
| <b>White Sands Missile Range</b>             |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 221,500  | 276.00                    | \$ 27,109                 | \$ 194,391             | \$ 204,000                               | 1734.00     | \$ 170,313        | \$ 33,687              |
| <b>TOTALS</b>                                |   |                           |                           |                        |  |             |                   |                        |
| FY21   | \$ 2,327,450  | 10,946                    | \$ 1,075,141              | \$ 1,252,309           | \$ 1,396,000                             | 21,624      | \$ 2,123,939      | \$ (727,939)           |

Note:

\* Hourly rate adjusted for inflation using the U.S. Bureau of Labor Statistics Consumer Price Index from FY2019 baseline.

\*\*Federal grant initiated on 9/24/2021. Fee letters state fees will be credited to the grant.

**Number of documents and hours of review for FY2021**

| <b>Document Type</b>                                | <b>Number of Documents Received</b> | <b>Total Hours per Document Type for FY2021</b> |
|---|-------------------------------------|---|
| Audit Review  | 11                                  | 435.50  |
| Accelerated Corrective Measures Report              | 0                                   | 96.00   |
| Accelerated Corrective Measures Work Plan           | 0                                   | 88.50   |
| Background Study Work Plan                          | 1                                   | 2.00  |
| Certification of Completion                         | 10                                  | 140.50  |
| Class 1 modification (with prior approval)          | 4                                   | 260.80  |
| Class 1 modification (without prior approval)       | 8                                   | 354.00  |
| Class 2 modification                                | 0                                   | 0.00  |
| Class 3 modification                                | 1                                   | 2766.00   |
| Class 3 Petition for CAC/NFA                        | 1                                   | 959.80  |
| Closure Report                                      | 2                                   | 343.30  |
| Corrective Measures Study/CME                       | 1                                   | 77.00   |
| Emergency Permit                                    | 2                                   | 32.50   |
| FFCO Administration                                 | 56                                  | 790.40  |
| Frequent Monitoring Plan                            | 2                                   | 101.30  |
| Frequent Monitoring Report/Progress Report          | 8                                   | 330.50  |
| Interim Measures Report                             | 5                                   | 491.80  |
| Interim Measures Work Plan                          | 2                                   | 307.00  |
| Investigation Report (RFI Report)/Phase Report      | 7                                   | 2081.00   |
| Investigation Report with Risk Assessment           | 4                                   | 1117.00   |
| Investigation Work Plan (RFI Work Plan)             | 11                                  | 1704.00   |
| Letter Report (supplemental Report/Report addendum) | 1                                   | 41.00   |
| Letter Work Plan (supplemental Work Plan/addendum)  | 7                                   | 164.30  |
| Monitoring Plan                                     | 8                                   | 631.50  |
| Operation and Maintenance Plan                      | 2                                   | 108.50  |
| Periodic Monitoring Report                          | 48                                  | 3074.00   |
| Permit  | 0                                   | 2653.00   |
| Pilot/Aquifer Test Report                           | 3                                   | 350.30  |
| Pilot/Aquifer Test Work Plan                        | 1                                   | 155.25  |
| RCRA Facility Assessment (RFA) Report               | 0                                   | 0.00  |
| Release Assessment/SWMU Assessment Report           | 6                                   | 356.00  |

**Number of documents under review and average time per document review for  
FY2021**

| <b>Facility</b> | <b>Documents under review during<br/>FY21</b> | <b>AVG Hours per document</b> |
|-----------------|---|-------------------------------|
| ACT/RNCH        | 1   | 692.5                         |
| CAFB            | 11  | 35.0                          |
| FB              | 8   | 16.8                          |
| FWDA            | 29  | 43.6                          |
| HAFB            | 17  | 55.3                          |
| KAFB            | 32  | 70.8                          |
| LANL            | 91  | 57.2                          |
| MELR            | 4   | 124.9                         |
| NASA            | 37  | 39.3                          |
| NRC             | 11  | 79.2                          |
| SKAL            | 1   | 8.0                           |
| SKFA            | 1   | 50.0                          |
| SNL             | 22  | 41.1                          |
| ST              | 4   | 234.2                         |
| TPDF            | 0   | 0.0                           |
| TWP             | 4   | 21.7                          |
| WIPP            | 12  | 290.6                         |
| WRB             | 2   | 153.9                         |
| WRG             | 28  | 27.7                          |
| WSMR            | 23  | 85.8                          |

**Notes:**

A federal grant was in place during FY21 with WIPP and the document review fees were credited against the grant.

**New Mexico Environment Department  
Hazardous Waste Bureau**

Fee Collection during FY2021 (July 01, 2020 - June 30, 2021)

Under the provisions of 20.4.3.800 (B) NMAC: "NMED shall prepare and submit to the Environmental Improvement Board a report describing the funds received pursuant to these regulations and the activities performed with the use of these funds."

|                            |                             |
|----------------------------|-----------------------------|
| <b>HW Generator Fees</b>   | 300,400.00                  |
| <b>Total Fees Received</b> | <u><u>\$ 300,400.00</u></u> |

**NEW MEXICO ENVIRONMENT DEPARTMENT  
HAZARDOUS WASTE BUREAU**

**FY21 EXPENDITURES**

|                             | HWB General Fund  | DOD FY21<br>DSMOA<br>(ENV00470)<br>(100% FF) | RCRA FY20<br>(ENV00464)<br>(100% FF) | RCRA FY20<br>(MHW00464)<br>State Match<br>(100% OSF) | HWB Permit<br>Fees (339) | WIPP Permit<br>Fees (339) | HWB Generator<br>Fees (339) | LANL Permit<br>Fees (339) | On Call<br>Response (957) | Hazardous<br>Waste Bureau<br>General Ledger<br>8/30/21 |
|-----------------------------|-------------------|--|--------------------------------------|--|--------------------------|---------------------------|-----------------------------|---------------------------|---------------------------|--|
|                             | 236,900.00        | \$ 17,900                                    | \$ 586,808                           | \$ 281,500   | \$ 746,100               | \$ 334,000                | \$ 267,600                  | \$ 496,000                | \$ 115,800                | \$ 3,082,608   |
| PS&EB                       | -                 | \$ 4,348                                     | \$ 142,536                           | -  | \$ 181,228               | \$ 81,129                 | \$ 65,000                   | \$ 120,478                | \$ 28,128                 | \$ 622,846   |
| Indirect Charge: 24.29%     | 73,800.00         | -  | -                                    | -  | \$ 149,700               | \$ 17,152                 | -                           | \$ 78,500                 | \$ 100,000                | \$ 419,152   |
| Contracts                   | 242,800.00        | \$ 2,900                                     | -                                    | -  | \$ 73,200                | \$ 55,645                 | \$ 35,456                   | \$ 61,500                 | \$ 16,000                 | \$ 487,501   |
| Other                       |                   |  |                                      |  |                          |                           |                             |                           |                           |  |
| <b>Total</b>                | <b>553,500.00</b> | <b>\$ 25,148</b>                             | <b>\$ 729,344</b>                    | <b>\$ 281,500</b>                                    | <b>\$ 1,150,228</b>      | <b>\$ 487,925</b>         | <b>\$ 368,056</b>           | <b>\$ 756,478</b>         | <b>\$ 259,928</b>         | <b>\$ 4,612,107</b>                                    |
| <b>Total Bureau Expense</b> |                   |  |                                      |  |                          |                           |                             |                           |                           | <b>Total Bureau Expense</b>                            |
| PS&EB                       | 236,900.00        |  | \$ 522,076.58                        | \$ 257,170.89  | \$ 579,706.23            | \$ -                      | \$ 235,098.53               | \$ 442,437.86             | \$ 112,919.27             | \$ 2,386,309.36  |
| Indirect Charge: 24.29%     | 73,800.00         |  | \$ 126,812.40                        | -  | \$ 140,810.64            | \$ -                      | \$ 57,105.43                | \$ 107,468.16             | \$ 27,428.09              | \$ 459,624.72  |
| Contracts                   | 242,800.00        |  | -                                    | -  | \$ 10,461.05             | \$ 17,151.80              | \$ -                        | \$ -                      | \$ 19,766.67              | \$ 121,179.52  |
| Other                       |                   |  | \$ -                                 | \$ -   | \$ 56,716.29             | \$ 13,713.21              | \$ 23,302.93                | \$ 52,203.12              | \$ 13,346.24              | \$ 402,081.79  |
| <b>Total</b>                | <b>553,500.00</b> | <b>\$ -</b>                                  | <b>\$ 648,888.98</b>                 | <b>\$ 257,170.89</b>                                 | <b>\$ 787,694.21</b>     | <b>\$ 30,865.01</b>       | <b>\$ 315,506.89</b>        | <b>\$ 602,109.14</b>      | <b>\$ 173,460.27</b>      | <b>\$ 3,369,195.39</b>                                 |
| <b>Remaining Budget</b>     | <b>-</b>          | <b>\$ 25,147.91</b>                          | <b>\$ 80,454.68</b>                  | <b>\$ 24,329.11</b>                                  | <b>\$ 362,533.48</b>     | <b>\$ 457,060.39</b>      | <b>\$ 52,549.15</b>         | <b>\$ 154,369.26</b>      | <b>\$ 86,467.55</b>       | <b>\$ 1,242,911.53</b>                                 |

Note: The Hazardous Waste Bureau (HWB) receives supplemental funding beyond Hazardous Waste Permit/Corrective Action Fees and Annual Hazardous Waste Fees (Generator Fees). The Corrective Action Fund and the Environmental Protection Administration's Resource Conservation and Recovery Act Grant (RCRA) provides the bureau with additional supplemental funding to augment permitting and enforcement activities. FY20 RCRA grant was cut from application request. Also, during part of FY20, the Agency continued work on the Cooperative Agreement with the Air Force for clean-up activities related to the Kirtland Air Force Base Bulk Fuels Facility Spill. Activities listed in the Fee Report are a combination of all HWB funding sources except activities completed solely within the Hazardous Waste Emergency Fund and the Department of Defense Grant.

From FY12 to FY19, HWB did not receive General Fund to support permitting and enforcement activities. ASD had not completed FY20 closeout when this data was generated.