

ANNUAL FEE REPORT

July 1, 2021 through June 30, 2022

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU**

October 2022

**New Mexico Environment Department
Hazardous Waste Bureau**

Fee Collection during FY2022 (July 01, 2021 - June 30, 2022)

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 fiscal year and 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 required for review or permitting action, and an analysis of the cost of regulatory oversight."

HWB Annual Fees	\$ 2,277,110.00
HWB Document Review Fees *	\$ 1,779,100.00
WIPP Grant**	\$ 550,287.00
Total Fees Received	<u>\$ 4,606,497.00</u>

Note:

* Includes permit renewals and late fees

** WIPP Grant during FY2022. Fee letters state fees are credited to the federal grant.

Fees Received by Facility for FY2022

Permit Fees	Document Fees Received FY22	2021 Annual Fee	Total Fees Received
Advanced Chemical Treatment	\$ -	\$ 3,000.00	\$ 3,000.00
Cannon Air Force Base	\$ 41,000.00	\$ 65,300.00	\$ 106,300.00
Fort Bliss	\$ 15,000.00	\$ 7,000.00	\$ 22,000.00
Fort Wingate Depot Activity	\$ 51,000.00	\$ 94,500.00	\$ 145,500.00
Holloman Air Force Base	\$ 27,000.00	\$ 26,400.00	\$ 53,400.00
Kirtland Air Force Base	\$ 108,000.00	\$ 51,350.00	\$ 159,350.00
Los Alamos National Laboratory	\$ 937,100.00	\$ 1,519,000.00	\$ 2,456,100.00
Melrose Range	\$ 7,500.00	\$ 7,000.00	\$ 14,500.00
NASA	\$ 114,500.00	\$ 65,500.00	\$ 180,000.00
Navajo Refining Company	\$ 39,000.00	\$ 60,500.00	\$ 99,500.00
PNM Person Generating Station	\$ -	\$ -	\$ -
Safety Kleen Albuquerque	\$ 1,800.00	\$ 12,000.00	\$ 13,800.00
Safety Kleen Farmington	\$ 8,300.00	\$ 6,000.00	\$ 14,300.00
Sandia National Laboratories	\$ 79,900.00	\$ 57,750.00	\$ 137,650.00
Spartan Technologies	\$ 5,000.00	\$ -	\$ 5,000.00
Transwestern Pipeline	\$ 6,000.00	\$ 5,500.00	\$ 11,500.00
Triassic Park Disposal Facility	\$ -	\$ -	\$ -
Waste Isolation Pilot Plant *	\$ -	\$ 44,500.00	\$ 44,500.00
Western Refining Company - Bloomfield	\$ 30,000.00	\$ 30,000.00	\$ 60,000.00
Western Refining Company - Gallup	\$ 194,000.00	\$ 19,500.00	\$ 213,500.00
White Sands Missile Range	\$ 114,000.00	\$ 221,500.00	\$ 335,500.00
Totals	\$ 1,779,100.00	\$ 2,296,300.00	\$ 4,075,400.00

Note:

* Federal Grant FY2022. Fee letters state:Fees will be credited to grant.

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 \$105.77 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.

FY22	Annual Fee Amount Received versus Miscellaneous Hours				Total Amount Received versus Total Hours			
	Annual Fee Amount Received	Total Miscellaneous Hours	Miscellaneous at \$105.77*	Difference at \$105.77*	Total Amount Received	Total Hours	Total at \$105.77*	Difference at \$105.77*
Advance Chemical Treatment/Rinchem								
FY22	\$ 3,000	280.50	\$ 29,668	\$ (26,668)	\$ -	1367.00	\$ 144,588	\$ (144,588)
Cannon Air Force Base								
FY22	\$ 65,300	177.75	\$ 18,801	\$ 46,499	\$ 41,000	656.50	\$ 69,438	\$ (28,438)
Fort Bliss								
FY22	\$ 7,000	54.50	\$ 5,764	\$ 1,236	\$ 15,000	85.00	\$ 8,990	\$ 6,010
Fort Wingate Depot Activity								
FY22	\$ 94,500	323.25	\$ 34,190	\$ 60,310	\$ 51,000	599.75	\$ 63,436	\$ (12,436)
Holloman Air Force Base								
FY22	\$ 26,400	140.00	\$ 14,808	\$ 11,592	\$ 27,000	822.00	\$ 86,943	\$ (59,943)
Kirtland Air Force Base								
FY22	\$ 51,350	1186.00	\$ 125,443	\$ (74,093)	\$ 108,000	2312.50	\$ 244,593	\$ (136,593)
Los Alamos National Laboratory *								
FY22	\$ 1,519,000	2464.00	\$ 260,617	\$ 1,258,383	\$ 937,100	5678.75	\$ 600,641	\$ 336,459
Melrose Air Force Range								
FY22	\$ 7,000	30.75	\$ 3,252	\$ 3,748	\$ 7,500	114.50	\$ 12,111	\$ (4,611)
NASA White Sands Test Facility								
FY22	\$ 65,500	167.50	\$ 17,716	\$ 47,784	\$ 114,500	1466.75	\$ 155,138	\$ (40,638)
Navajo Refining Corporation								
FY22	\$ 60,500	207.50	\$ 21,947	\$ 38,553	\$ 39,000	579.50	\$ 61,294	\$ (22,294)
PNM Persons Generating Station								
FY22	\$ -	0.00	\$ -	\$ -	\$ -	0.00	\$ -	\$ -
Safety-Kleen Albuquerque								
FY22	\$ 12,000	160.00	\$ 16,923	\$ (4,923)	\$ 1,800	52.50	\$ 5,553	\$ (3,753)
Safety-Kleen Farmington								
FY22	\$ 6,000	177.50	\$ 18,774	\$ (12,774)	\$ 8,300	158.25	\$ 16,738	\$ (8,438)
Sandia National Laboratories								
FY22	\$ 57,750	191.50	\$ 20,255	\$ 37,495	\$ 79,900	1059.00	\$ 112,010	\$ (32,110)
Sparton Technology								
FY22	\$ -	117.75	\$ 12,454	\$ (12,454)	\$ 5,000	186.00	\$ 19,673	\$ (14,673)
Triassic Park Disposal Facility								
FY22	\$ -	4.00	\$ 423	\$ (423)	\$ -	0.00	\$ -	\$ -
Transwestern Pipeline								
FY22	\$ 5,500	172.00	\$ 18,192	\$ (12,692)	\$ 6,000	210.25	\$ 22,238	\$ (16,238)
Waste Isolation Pilot Plant **								
FY22	\$ 44,500	1713.50	\$ 181,237	\$ (136,737)	\$ -	1907.50	\$ 201,756	\$ (201,756)
Western Refining Company - Bloomfield								
FY22	\$ 30,000	289.50	\$ 30,620	\$ (620)	\$ 30,000	422.00	\$ 44,635	\$ (14,635)
Western Refining Company - Gallup								
FY22	\$ 19,500	389.50	\$ 41,197	\$ (21,697)	\$ 194,000	1627.75	\$ 172,167	\$ 21,833
White Sands Missile Range								
FY22	\$ 221,500	266.00	\$ 28,135	\$ 193,365	\$ 114,000	2103.25	\$ 222,461	\$ (108,461)
TOTALS								
FY22	\$ 2,296,300	8,513	\$ 900,420	\$ 1,395,880	\$ 1,779,100	21,409	\$ 2,264,403	\$ (485,303)

Number of documents and hours of review for FY2021

Document Type	Number of Documents Received	Total Hours per Document Type for FY2021
Audit Review	8	365.00
Accelerated Corrective Measures Report	0	1.00
Accelerated Corrective Measures Work Plan	2	105.50
Background Study Work Plan	0	18.50
Certification of Completion	3	428.25
Class 1 modification (with prior approval)	4	280.75
Class 1 modification (without prior approval)	8	289.00
Class 2 modification	2	191.00
Class 3 modification	0	445.50
Class 3 Petition for CAC/NFA	1	451.25
Closure Plan	1	97.25
Closure Report	0	250.50
Corrective Measures Study/CME	1	88.25
Emergency Permit	1	16.00
FFCO Administration	36	722.75
Frequent Monitoring Plan	3	147.75
Frequent Monitoring Report/Progress Report	13	975.00
Interim Measures Report	3	428.50
Interim Measures Work Plan	0	75.50
Investigation Report (RFI Report)/Phase Report	9	1978.75
Investigation Report with Risk Assessment	0	790.25
Investigation Work Plan (RFI Work Plan)	4	1574.00
Letter Report (supplemental Report/Report addendum)	10	543.75
Letter Work Plan (supplemental Work Plan/addendum)	11	605.25
Monitoring Plan	6	1187.25
Operation and Maintenance Plan	1	106.50
Periodic Monitoring Report	58	2905.50
Permit	0	4355.50
Pilot/Aquifer Test Report	1	164.75
Pilot/Aquifer Test Work Plan	3	583.75
RCRA Facility Assessment (RFA) Report	0	0.00
Release Assessment/SWMU Assessment Report	2	147.00

**Number of documents under review and average time per document review for
FY2022**

Facility	Documents under review during FY21	AVG Hours per document
ACT/RNCH	1	1367.0
CAFB	14	46.9
FB	6	14.2
FWDA	28	21.4
HAFB	12	68.5
KAFB	30	77.1
LANL	120	47.3
MELR	2	57.3
NASA	38	38.6
NRC	12	48.3
SKAL	2	26.3
SKFA	2	79.2
SNL	20	53.0
ST	2	93.0
TPDF	0	0.0
TWP	3	70.0
WIPP	15	127.2
WRB	5	84.4
WRG	36	45.2
WSMR	21	100.2

Notes:

A federal grant was in place during FY22 with WIPP and the document review fees were credited against the grant.

Number of documents and hours of review for FY2021

Document Type	Number of Documents Received	Total Hours per Document Type for FY2021
Audit Review	8	365.00
Accelerated Corrective Measures Report	0	1.00
Accelerated Corrective Measures Work Plan	2	105.50
Background Study Work Plan	0	18.50
Certification of Completion	3	428.25
Class 1 modification (with prior approval)	4	280.75
Class 1 modification (without prior approval)	8	289.00
Class 2 modification	2	191.00
Class 3 modification	0	445.50
Class 3 Petition for CAC/NFA	1	451.25
Closure Plan	1	97.25
Closure Report	0	250.50
Corrective Measures Study/CME	1	88.25
Emergency Permit	1	16.00
FFCO Administration	36	722.75
Frequent Monitoring Plan	3	147.75
Frequent Monitoring Report/Progress Report	13	975.00
Interim Measures Report	3	428.50
Interim Measures Work Plan	0	75.50
Investigation Report (RFI Report)/Phase Report	9	1978.75
Investigation Report with Risk Assessment	0	790.25
Investigation Work Plan (RFI Work Plan)	4	1574.00
Letter Report (supplemental Report/Report addendum)	10	543.75
Letter Work Plan (supplemental Work Plan/addendum)	11	605.25
Monitoring Plan	6	1187.25
Operation and Maintenance Plan	1	106.50
Periodic Monitoring Report	58	2905.50
Permit	0	4355.50
Pilot/Aquifer Test Report	1	164.75
Pilot/Aquifer Test Work Plan	3	583.75
RCRA Facility Assessment (RFA) Report	0	0.00
Release Assessment/SWMU Assessment Report	2	147.00

**New Mexico Environment Department
Hazardous Waste Bureau**

Fee collection during FY22 - July 1, 2021 through June 30, 2022

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."

HW Generator Fees	532,470.99
Total Fees Received	<u>\$ 532,470.99</u>

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU**

FY22 EXPENDITURES

Hazardous Waste Bureau General Ledger 9/21/22	HWB General Fund	DOD FY22 DSMOA (ENV00470) (100% FF)	RCRA FY22 (ENV22RCRHW) (100% FF)	RCRA FY22 (MCA22RCRHW) State Match (100% OSF)	HWB Permit Fees (339)	WIPP Permit Fees (339)	HWB Generator Fees (339)	On Call Response (957)	Hazardous Waste Bureau General Ledger 9/21/22	
Total Bureau Budget										Total Bureau Budget
PS&EB	174,200.00	\$ 19,200	\$ 623,554	\$ 248,299	\$ 1,353,200	\$ 73,976	\$ 234,800	\$ 107,100	\$ 2,834,329	PS&EB
Indirect Charge: 19.46%	-	\$ -	\$ 121,344	\$ -	\$ 263,333	\$ 14,396	\$ 45,692	\$ 20,842	\$ 465,606	Indirect Charge: 19.46%
Contracts	-	\$ -	\$ -	\$ -	\$ 343,200	\$ 11,820	\$ -	\$ 100,000	\$ 455,020	Contracts
Other	282,800.00	\$ -	\$ -	\$ -	\$ 366,400	\$ 11,943	\$ 45,300	\$ 17,700	\$ 724,143	Other
Total	457,000.00	\$ 19,200	\$ 744,898	\$ 248,299	\$ 2,326,133	\$ 112,135	\$ 325,792	\$ 245,642	\$ 4,479,098	Total
Total Bureau Expense										Total Bureau Expense
PS&EB	174,200.00	\$ -	\$ 623,554.00	\$ 248,299.00	\$ 1,189,790.25	\$ 73,976.28	\$ 216,943.16	\$ 98,628.84	\$ 2,625,391.53	PS&EB
Indirect Charge: 19.46%	-	\$ -	\$ 121,343.61	\$ -	\$ 231,533.18	\$ 14,395.78	\$ 42,217.14	\$ 19,193.17	\$ 428,682.89	Indirect Charge: 19.46%
Contracts	-	\$ -	\$ -	\$ -	\$ 203,420.87	\$ 11,820.00	\$ -	\$ 57,367.61	\$ 272,608.48	Contracts
Other	282,800.00	\$ -	\$ -	\$ -	\$ 316,200.66	\$ 11,942.93	\$ 32,758.74	\$ 14,314.72	\$ 658,017.05	Other
Total	457,000.00	\$ -	\$ 744,897.61	\$ 248,299.00	\$ 1,940,944.96	\$ 112,134.99	\$ 291,919.04	\$ 189,504.34	\$ 3,984,699.95	Total
Remaining Budget	-	\$ 19,200.00	\$ -	\$ -	\$ 385,187.76	\$ 0.07	\$ 33,873.04	\$ 56,137.32	\$ 494,398.19	Remaining Budget

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. Activities listed in the Fee Report are a combination of all HWB funding sources except activities completed solely within the Hazardous Waste Emergency Fund.

From FY12 to FY19, HWB did not receive General Fund to support permitting and enforcement activities. From FY20 to FY22, HWB did receive General Fund to support permitting and enforcement activities. HWB will no longer receive General Fund to support permitting and enforcement activities beginning in FY23.