

ANNUAL FEE REPORT

July 1, 2010 through June 30, 2011

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU**

October 2011

**New Mexico Environment Department
Hazardous Waste Bureau**

Fee Collection during FY2011 (July 01, 2010 - June 30, 2011)

Under the provisions of 20.4.2.202 NMAC: "NMED shall review the amount of fees collected and the amount of 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 fees collected, the number and types of permitting actions taken, submittals reviewed, a summary of the time required to conduct each review or permitting action, and an analysis of the cost of regulatory oversight."

HWB Annual Fees **	\$ 497,250.00
HWB Document Review Fees ***	\$ 809,986.46
WIPP Fee Agreement*	\$ 787,629.68
LANL Fee Agreement*	\$ 1,316,739.71
Total Fees Received	<u>\$ 3,411,605.85</u>

Note:

* Fee Agreement during FY2011. Fee letters state annual fee will be credited to supplemental fees if supplemental fees paid by due date.

**Includes annual fees paid by facilities with supplemental fee agreements. All annual fees received by facilities under a supplemental fee agreement are credited to the agreement.

*** Includes permit renewals and late fees for non-payments

Fees Received by Facility for FY2011

Permit Fees	Document Fees Received FY11	2011 Annual Fee	FY11 Supplemental Fee Agreement	Total Fees Received
Cannon Air Force Base	\$ 19,500.00	\$ 38,250.00		\$ 57,750.00
Fort Bliss	\$ 2,000.00	\$ 5,250.00		\$ 7,250.00
Fort Wingate Depot Activity	\$ 56,500.00	\$ 72,750.00		\$ 129,250.00
Holloman Air Force Base	\$ 19,000.00	\$ 51,500.00		\$ 70,500.00
Kirtland Air Force Base	\$ 200,000.00	\$ 39,750.00		\$ 239,750.00
Los Alamos National Laboratory *	\$ 129,486.46		\$ 1,316,739.71	\$ 1,446,226.17
Melrose Range	\$ 2,000.00	\$ 5,250.00		\$ 7,250.00
NASA	\$ 45,500.00	\$ 54,500.00		\$ 100,000.00
Navajo Refining Company	\$ 7,500.00	\$ 23,250.00		\$ 30,750.00
PNM Person Generating Station		\$ 4,000.00		\$ 4,000.00
Rinchem		\$ 2,000.00		\$ 2,000.00
Safety Kleen Albuquerque	\$ 3,500.00	\$ 8,000.00		\$ 11,500.00
Safety Kleen Farmington		\$ 4,000.00		\$ 4,000.00
Sandia National Laboratories	\$ 38,500.00	\$ 48,250.00		\$ 86,750.00
Sparton Technologies		\$ 4,750.00		\$ 4,750.00
Waste Isolation Pilot Plant *	\$ 106,500.00		\$ 787,629.68	\$ 894,129.68
Western Refining Company - Bloomfield	\$ 42,000.00	\$ 22,500.00		\$ 64,500.00
Western Refining Company - Gallup	\$ 100,500.00	\$ 14,500.00		\$ 115,000.00
White Sands Missile Range	\$ 37,500.00	\$ 98,750.00		\$ 136,250.00
Totals	\$ 809,986.46	\$ 497,250.00	\$ 2,104,369.39	\$ 3,411,605.85

Note:

* Fee Agreement during FY2011. Fee letters state: Annual fee will be credited to supplemental fee agreement if paid by due date. All supplemental fees were paid on time, however, if annual fee is noted, then facility paid both supplemental and annual fee. Any annual fees or document review fees received by HWB from facilities under a fee agreement are credited to the facility during the following billing cycle unless invoice amount exceeds supplemental fee agreement amount. If invoice amounts exceed supplemental fee agreement amount then HWB does not credit facility in accordance with 74-4-4.2(K) NMAC

** Includes late fees for non-payments

The following table provides a listing of the fees collected and the associated hours of staff during FY2011 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 \$70.48 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.). The hourly rate is multiplied by the hours to determine costs related to the facility in a given year.

FY11	Annual Fee Amount Received versus Miscellaneous Hours				Total Amount Received versus Total Hours			
	Annual Fee Amount Received	Total Miscellaneous Hours	Miscellaneous at \$70.48	Difference at \$70.48	Total Amount Received	Total Hours	Total at \$70.48	Difference at \$70.48
Cannon Air Force Base								
FY11	\$ 38,250	17.00	\$ 1,198	\$ 37,052	\$ 57,750	294.00	\$ 20,721	\$ 37,029
Fort Bliss								
FY11	\$ 5,250	1.50	\$ 106	\$ 5,144	\$ 7,250	21.75	\$ 1,533	\$ 5,717
Fort Wingate Depot Activity								
FY11	\$ 72,750	196.50	\$ 13,849	\$ 58,901	\$ 129,250	1976.50	\$ 139,304	\$ (10,054)
Holloman Air Force Base								
FY11	\$ 51,500	84.00	\$ 5,920	\$ 45,580	\$ 70,500	1529.00	\$ 107,764	\$ (37,264)
Kirtland Air Force Base								
FY11	\$ 39,750	1206.00	\$ 84,999	\$ (45,249)	\$ 239,750	5176.50	\$ 364,840	\$ (125,090)
Los Alamos National Laboratory *								
FY11		1681.25	\$ 118,495	\$ (118,495)		10023.75	\$ 706,474	\$ (706,474)
Melrose Air Force Range								
FY11	\$ 5,250	4.50	\$ 317	\$ 4,933	\$ 7,250	50.50	\$ 3,559	\$ 3,691
NASA White Sands Test Facility								
FY11	\$ 54,500	38.00	\$ 2,678	\$ 51,822	\$ 100,000	1228.00	\$ 86,549	\$ 13,451
Navajo Refining Company								
FY11	\$ 23,250	96.25	\$ 6,784	\$ 16,466	\$ 30,750	692.25	\$ 48,790	\$ (18,040)
PNM Persons Generating Station								
FY11	\$ 4,000	328.00	\$ 23,117	\$ (19,117)	\$ 4,000	539.00	\$ 37,989	\$ (33,989)

FY11	Annual Fee Amount Received versus Miscellaneous Hours				Total Amount Received versus Total Hours			
	Annual Fee Amount Received	Total Miscellaneous Hours	Miscellaneous at \$70.48	Difference at \$70.48	Total Amount Received	Total Hours	Total at \$70.48	Difference at \$70.48
Rinchem								
FY11	\$ 2,000	9.00	\$ 634	\$ 1,366	\$ 2,000	9.00	\$ 634	\$ 1,366
Safety-Kleen Albuquerque								
FY11	\$ 8,000	3.00	\$ 211	\$ 7,789	\$ 11,500	182.00	\$ 12,827	\$ (1,327)
Safety-Kleen Farmington								
FY11	\$ 4,000	13.00	\$ 916	\$ 3,084	\$ 4,000	31.50	\$ 2,220	\$ 1,780
Sandia National Laboratories								
FY11	\$ 48,250	151.50	\$ 10,678	\$ 37,572	\$ 86,750	2535.75	\$ 178,720	\$ (91,970)
Sparton Technologies								
FY11	\$ 4,750	131.25	\$ 9,251	\$ (4,501)	\$ 4,750	173.25	\$ 12,211	\$ (7,461)
Waste Isolation Pilot Plant *								
FY11		2637.75	\$ 185,909	\$ (185,909)		6092.75	\$ 429,417	\$ (429,417)
Wester Refining Company - Bloomfield								
FY11	\$ 22,500	84.75	\$ 5,973	\$ 16,527	\$ 64,500	702.75	\$ 49,530	\$ 14,970
Western Refining Company - Gallup								
FY11	\$ 14,500	142.50	\$ 10,043	\$ 4,457	\$ 115,000	1054.50	\$ 74,321	\$ 40,679
White Sands Missile Range								
FY11	\$ 98,750	23.50	\$ 1,656	\$ 97,094	\$ 136,250	1871.50	\$ 131,903	\$ 4,347
TOTALS								
FY11	\$ 497,250	6,849	\$ 482,735	\$ 14,515	\$ 1,071,250	34,184	\$ 2,409,306	\$ (1,338,056)

Note:

* Does not include supplemental fees through fee agreements

Number of documents and hours of review for FY2011

Document Type	n	Total Hours per Document Type for FY2011
ACA/ACM Completion Report	6	180.25
ACA/ACM Work Plan	5	182
Audit Review	14	2147.25
Certificate of Completion	9	270.5
Class 1 permit modification with prior approval	4	194
Class 1 Permit Modification without Prior Approval	11	217.5
Class 2 Permit Modification	2	23.5
Class 3 - Petition for CAC/NFA	6	186.5
Class 3 Permit Modification	5	1344.75
Closure Plan	4	229.5
Closure Report	2	260
CME Work Plan	1	3
CMI Report	2	128.5
CMI Work Plan	4	264.75
CMS Report/CME	8	1715.5
Completion Report	3	46
FFCO Administration	16	449.25
Interim Measures Report	6	342.5
Interim Measures Work Plan	14	1859
Investigation Report (RFI Report)/Phase Report	39	4669.25
Investigation Work Plan (RFI Work Plan)	60	3176.5
Monitoring Plan	13	769.5
Notice of Land Transfer	1	7
Operation and Maintenance Plan	1	21
Periodic Monitoring Report	89	2173.75
Permit	9	5405.5
Pilot/Aquifer Test Report	2	60
Pilot/Aquifer Test Work Plan	2	5.5
RCRA Facility Assessment	1	82
Release Assessment/SWMU Assessment Report	4	53

Number of documents under review and average time (days) for invoicing, payment and response for FY2011 by facility

Facility	Document under review during FY11	Invoice date to Fee paid date average (days)	Rec'd date to Invoice date average (days)	Fees paid to response date average (days) *	AVG Hours per document
CAFB	15	30	42	51	18.5
FB	5	14	166	58	4.1
FWDA	24	63	31	59	74.2
HAFB	15	51	50	93	96.3
KAFB	46	47	105	71	86.2
LANL	128	28	2	76	65.2
MELR	2	51	52	22	23.0
NASA	18	15	25	19	66.1
NRC	13	70	30	117	45.8
PNM	1	269	108	na	211.0
SKAL	3	37	18	-26	59.7
SKFA	1	50	32	129	18.5
SNL	32	30	28	96	74.5
ST	1	na	na	na	42.0
WIPP	19	111	9	-42	181.8
WRB	15	52	49	92	47.9
WRG	14	68	19	48	85.4
WSMR	19	47	59	94	97.3

Notes:

A fee agreement was in place during FY11 with LANL and WIPP and the document review fees were credited against the fee agreement.

* If a negative number then document(s) were responded to prior to fee payment.

**New Mexico Environment Department
Hazardous Waste Bureau**

Fee Collection during FY2011 (July 01, 2010 - June 30, 2011)

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	\$	275,669.77
Total Fees Received	\$	<u>275,669.77</u>

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU**

FY 09 EXPENDITURES

Hazardous Waste Bureau Commitment Control 9/12/2011	HWB General Fund	DOD FY11 (100% FF)	RCRA FY11 (75% FF/25% OSF)	On Call Response (957)	HWB Permit Fees (339)	WIPP Permit Fees (339)	HWB Generator Fees (339)	LANL Permit Fees (339)	SNL Permit Fees (339)	Hazardous Waste Bureau	
	Total Bureau Budget										
PS&EB	250,300.00	134,400.00	843,600.00	94,000.00	682,200.00	386,800.00	212,000.00	785,100.00	188,600.00	3,577,000.00	PS&EB
Indirect Charge: 18.26%		24,541.44	99,261.36	17,164.40	124,569.72	70,629.68	38,711.20	143,359.26	34,438.36	552,675.42	Indirect Charge: 18.26%
Contracts				100,000.00	115,000.00	231,000.00	500.00	205,000.00	70,000.00	721,500.00	Contracts
Other	68,700.00	25,050.00		21,500.00	278,200.00	99,200.00	47,300.00	162,000.00	39,100.00	741,050.00	Other
Total	319,000.00	183,991.44	942,861.36	232,664.40	1,199,969.72	787,629.68	298,511.20	1,295,459.26	332,138.36	5,592,225.42	Total
Total Bureau Expense											
PS&EB	250,300.00	80,529.24	843,600.00	93,132.71	643,996.99	315,092.42	210,060.28	636,827.07	147,247.60	3,220,786.31	PS&EB
Indirect Charge: 18.26%		14,704.64	99,261.36	17,006.03	117,593.85	57,535.88	38,357.01	116,284.62	26,887.41	487,630.80	Indirect Charge: 18.26%
Contracts				52,163.41	85,092.93	170,575.31	252.51	88,459.83	24,888.75	421,432.74	Contracts
Other	66,540.83	22,163.12		13,312.71	210,942.58	82,025.24	45,193.58	129,536.14	12,594.62	582,308.82	Other
Total	316,840.83	117,397.00	942,861.36	175,614.86	1,057,626.35	625,228.85	293,863.38	971,107.66	211,618.38	4,712,158.67	Total
Remaining Budget	2,159.17	66,594.44	-	57,049.54	142,343.37	162,400.83	4,647.82	324,351.60	120,519.98	880,066.75	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). General fund, Corrective Action Fund, and the Environmental Protection Administration's Resource Conservation and Recovery Act Grant provides the bureau with additional supplemental funding to augment permitting and enforcement activities. Activities listed previously are a combination of all HWB funding sources except activities completed solely within the Hazardous Waste Emergency Fund and the Department of Defense Grant.