

**STATE OF NEW MEXICO
BEFORE THE ENVIRONMENTAL IMPROVEMENT BOARD**

**IN THE MATTER OF PROPOSED
AMENDMENTS TO 20.4.2 NMAC –
Hazardous Waste Permit and Corrective Action Fees
AND 20.4.3 NMAC – *Annual Hazardous Waste Fees***

No. EIB 19-__ (R)

**Hazardous Waste Bureau,
Resource Protection Division,
New Mexico Environment Department,**

Petitioner.

**PETITION TO AMEND 20.4.2 NMAC AND 20.4.3 NMAC
OF THE HAZARDOUS WASTE REGULATIONS
AND REQUEST FOR HEARING**

The Hazardous Waste Bureau (“Bureau”), within the Resource Protection Division of the New Mexico Environment Department (“Department”), submits this Petition to amend 20.4.2 NMAC, *Hazardous Waste Permit and Corrective Action Fees*, and 20.4.3 NMAC, *Annual Hazardous Waste Fees* and respectfully requests a hearing before the Environmental Improvement Board (“Board”) for the purpose of adoption of the proposed amendments. .

The purpose of the *Hazardous Waste Permit and Corrective Action Fees* (20.4.2 NMAC) and the *Annual Hazardous Waste Fees* (20.4.3 NMAC) is to support regulatory oversight of hazardous waste facilities by the New Mexico Environment Department (“NMED”), through the Hazardous Waste Bureau (“Bureau”). The Amendments to 20.4.2 NMAC are necessary to adjust the fees to reflect current operational costs and to more accurately represent document review times. The Amendments to 20.4.3 NMAC are necessary to revise and update the fees to reflect current operational costs and more adequately support the Compliance and Technical Assistance Management Program of the Bureau.

As support for this Petition, a Statement of Reasons is included as Attachment 1. The proposed amendments to 20.4.2 NMAC and 20.4.3 NMAC are included as Attachment 2 and Attachment 3, respectively.


The Department has engaged in extensive stakeholder involvement prior to the filing of this Petition, and the response to the proposed amendments from the regulated community has been constructive and positive.

The EIB has the authority to adopt proposed regulations and amendments under NMSA 1978, Section 74-1-8(A)(13) and Section 74-4-4(A).

The Bureau respectfully requests that a hearing be scheduled on this matter in accordance with 20.1.1.300(C) NMAC for December 20, 2019. The Bureau anticipates that a hearing on this matter will take approximately four hours.

Respectfully submitted,

HAZARDOUS WASTE BUREAU
RESOURCE PROTECTION DIVISION
NEW MEXICO ENVIRONMENT DEPARTMENT



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