

ANNUAL FEE REPORT

July 1, 2018 through June 30, 2019

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU**

October 2019

**New Mexico Environment Department
Hazardous Waste Bureau**

Fee Collection during FY2019 (July 01, 2018 - June 30, 2019)

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***	\$ 541,500.00
HWB Document Review Fees *****	\$ 723,504.28
KAFB Cooperative Agreement**	\$ 89,998.96
WIPP Fee Agreement*	\$ 631,325.00
LANL Fee Agreement****	\$ 1,167,300.00
Total Fees Received	<u>\$ 3,153,628.24</u>

Note:

* Fee Agreement during FY19. Fee letters state annual fee will be credited to supplemental fees if supplemental fees paid by due date.

**Cooperative Agreement for Kirtland Air Force Base Bulk Fuels Facility Spill.

***Does not include 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.

**** Total includes annual fee payment and additional document review payments due to not paying supplemental invoice timely.

***** Includes permit renewals and late fees

Fees Received by Facility for FY2019

Permit Fees	Document Fees Received FY19	2019 Annual Fee	FY19 Supplemental Fees/Cooperative Agreements	Total Fees Received
Advance Chemical Treatment	\$ 72,000.00	\$ 2,000.00	\$ -	\$ 74,000.00
Cannon Air Force Base	\$ 25,000.00	\$ 30,250.00	\$ -	\$ 55,250.00
Fort Bliss	\$ 24,004.28	\$ 1,500.00	\$ -	\$ 25,504.28
Fort Wingate Depot Activity	\$ 61,500.00	\$ 70,750.00	\$ -	\$ 132,250.00
Holloman Air Force Base	\$ 96,500.00	\$ 27,250.00	\$ -	\$ 123,750.00
Kirtland Air Force Base**	\$ 51,000.00	\$ 38,250.00	\$ 89,998.96	\$ 179,248.96
Los Alamos National Laboratory *	\$ 9,000.00	\$ 492,400.00	\$ 665,900.00	\$ 1,167,300.00
Melrose Range	\$ -	\$ 5,250.00	\$ -	\$ 5,250.00
NASA	\$ 71,000.00	\$ 51,500.00	\$ -	\$ 122,500.00
Navajo Refining Company	\$ 22,500.00	\$ 45,000.00	\$ -	\$ 67,500.00
PNM Person Generating Station	\$ 7,000.00	\$ 4,000.00	\$ -	\$ 11,000.00
Safety Kleen Albuquerque	\$ 6,500.00	\$ 8,000.00	\$ -	\$ 14,500.00
Safety Kleen Farmington	\$ 500.00	\$ 4,000.00	\$ -	\$ 4,500.00
Sandia National Laboratories	\$ 41,000.00	\$ 42,500.00	\$ -	\$ 83,500.00
Spartan Technologies	\$ -	\$ 4,750.00	\$ -	\$ 4,750.00
Transwestern Pipeline	\$ 4,500.00	\$ 4,000.00	\$ -	\$ 8,500.00
Triassic Park Disposal Facility	\$ -	\$ -	\$ -	\$ -
Waste Isolation Pilot Plant *	\$ -	\$ -	\$ 631,325.00	\$ 631,325.00
Western Refining Company - Bloomfield	\$ 14,500.00	\$ 22,500.00	\$ -	\$ 37,000.00
Western Refining Company - Gallup	\$ 137,000.00	\$ 15,250.00	\$ -	\$ 152,250.00
White Sands Missile Range	\$ 89,000.00	\$ 164,750.00	\$ -	\$ 253,750.00
Totals	\$ 732,504.28	\$ 1,033,900.00	\$ 1,387,223.96	\$ 3,153,628.24

Note:

* Fee Agreement during FY19. 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.

**Cooperative Agreement signed with facility for activities completed at the KAFB BFFS.

The following table provides a listing of the fees collected and the associated hours of staff during FY2019 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.

FY19	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
Advance Chemical Treatment/Rinchem								
FY19	\$ 2,000	414.50	\$ 29,214	\$ (27,214)	\$ 74,000	1550.50	\$ 109,279	\$ (35,279)
Cannon Air Force Base								
FY19	\$ 30,250	272.00	\$ 19,171	\$ 11,079	\$ 55,250	1238.75	\$ 87,307	\$ (32,057)
Fort Bliss								
FY19	\$ 1,500	16.50	\$ 1,163	\$ 337	\$ 25,504	101.50	\$ 7,154	\$ 18,351
Fort Wingate Depot Activity								
FY19	\$ 70,750	71.50	\$ 5,039	\$ 65,711	\$ 132,250	1994.25	\$ 140,555	\$ (8,305)
Holloman Air Force Base								
FY19	\$ 27,250	168.50	\$ 11,876	\$ 15,374	\$ 123,750	1561.75	\$ 110,072	\$ 13,678
Kirtland Air Force Base**								
FY19	\$ 38,250	1231.75	\$ 86,814	\$ (48,564)	\$ 179,249	2042.25	\$ 143,938	\$ 35,311
Los Alamos National Laboratory *								
FY19	\$ 492,400	2562.12	\$ 180,578	\$ 311,822	\$ 1,167,300	10778.87	\$ 759,695	\$ 407,605
Melrose Air Force Range								
FY19	\$ 5,250	61.75	\$ 4,352	\$ 898	\$ 5,250	239.25	\$ 16,862	\$ (11,612)
NASA White Sands Test Facility								
FY19	\$ 51,500	29.75	\$ 61	\$ 51,440	\$ 122,500	1372.25	\$ 96,716	\$ 25,784
Navajo Refining Corporation								
FY19	\$ 45,000	212.75	\$ 14,995	\$ 30,005	\$ 67,500	1992.00	\$ 140,396	\$ (72,896)
PNM Persons Generating Station								
FY19	\$ 4,000	1.00	\$ 70	\$ 3,930	\$ 11,000	34.50	\$ 2,432	\$ 8,568
Safety-Kleen Albuquerque								
FY19	\$ 8,000	31.00	\$ 2,185	\$ 5,815	\$ 14,500	364.50	\$ 25,690	\$ (11,190)
Safety-Kleen Farmington								
FY19	\$ 4,000	157.00	\$ 11,065	\$ (7,065)	\$ 4,500	986.25	\$ 69,511	\$ (65,011)
Sandia National Laboratories								
FY19	\$ 42,500	78.25	\$ 5,515	\$ 36,985	\$ 83,500	1698.25	\$ 119,693	\$ (36,193)
Sparton Technology								
FY19	\$ 4,750	247.25	\$ 17,426	\$ (12,676)	\$ 4,750	392.50	\$ 27,663	\$ (22,913)
Triassic Park Disposal Facility								
FY19	\$ -	34.50	\$ 2,432	\$ (2,432)	\$ -	149.25	\$ 10,519	\$ (10,519)
Transwestern Pipeline								
FY19	\$ 4,000	102.75	\$ 7,242	\$ (3,242)	\$ 8,500	177.50	\$ 12,510	\$ (4,010)
Waste Isolation Pilot Plant *								
FY19	\$ -	2236.25	\$ 157,611	\$ (157,611)	\$ 631,325	6061.00	\$ 427,179	\$ 204,146
Western Refining Company - Bloomfield								
FY19	\$ 22,500	79.75	\$ 5,621	\$ 16,879	\$ 37,000	109.00	\$ 7,682	\$ 29,318
Western Refining Company - Gallup								
FY19	\$ 15,250	177.25	\$ 12,493	\$ 2,757	\$ 152,250	1307.25	\$ 92,135	\$ 60,115
White Sands Missile Range								
FY19	\$ 164,750	69.25	\$ 4,881	\$ 159,869	\$ 253,750	1629.50	\$ 114,847	\$ 138,903
TOTALS								
FY19	\$ 1,033,900	8,255	\$ 579,802	\$ 454,098	\$ 3,153,628	35,781	\$ 2,521,836	\$ 631,793

Note:

* Fee Agreement during FY19. Fee letters state annual fee will be credited to supplemental fees if supplemental fees paid by due date.

**Cooperative Agreement during FY19 for KAFB BFFS

Number of documents and hours of review for FY19

Document Type	Number of Documents Received	Total Hours per Document Type for FY19
ACA/ACM Completion Report	5	527.25
ACA/ACM Work Plan	1	4.00
Aquifer Test Report	1	3.50
Audit Review	15	447.50
Certification of Completion	9	448.00
Class 1 (with prior approval)	11	619.50
Class 1 (without prior approval)	11	271.75
Class 2 modification	2	180.00
Class 3 modification	5	3476.75
Class 3 Petition for CAC/NFA	7	372.50
Closure Plan - Subpart X	1	161.00
Closure Plan - Surface Impoundment	2	10.50
Closure Report	3	524.00
Closure Report - Storage	1	281.25
Closure Report - Subpart X	2	59.50
CMS Report/CME	3	635.50
Drilling Work Plan (no fee regulation charge)	1	81.50
FFCO Administration	16	940.50
Interim Measures Monitoring Report	9	454.00
Interim Measures Report	19	1277.25
Interim Measures Work Plan	23	693.75
Investigation Report (RFI Report)/Phase Report	40	2722.50
Investigation Report w/Risk Assessment	17	1827.25
Investigation Work Plan (RFI Work Plan)	37	1237.50
Monitoring Plan	24	691.25
Periodic Monitoring Report	93	3091.00
Permit - Container Storage including CA Section	1	1114.00
Permit - Post Closure	1	22.00
Permit - Storage	3	1108.25
Permit - Subpart X and Corrective Action	2	183.50
Permit Corrective Action Units	1	730.75
Permit Land Disposal	1	114.75
Permit Modification - Subpart X	2	223.75
Pilot/Aquifer Test Work Plan	18	766.75
Release Assessment/SWMU Assessment Report	10	259.00
Remedy Completion Report	1	44.00
Risk Evaluation/Risk Assessment Report	3	154.00
Status Report	31	1521.75
Well Completion Report	9	244.00
Total	441	27525.50

Number of documents under review and average time per document review for FY19

Facility	Document under review during FY19	AVG Hours per document
ACT	4	387.6
CAFB	21	59.0
FB	9	11.3
FWDA	35	57.0
HAFB	38	41.1
KAFB	20	102.1
LANL	119	90.6
MELR	4	59.8
NASA	51	26.9
NRC	15	132.8
PNM	3	11.5
SKAL	4	91.1
SKFA	3	328.8
SNL	29	58.6
ST	5	78.5
TPDF	2	74.6
TWP	4	44.4
WIPP	21	288.6
WRB	7	15.6
WRG	38	34.4
WSMR	37	44.0

Notes:

A fee agreement was in place during FY19 with LANL and WIPP and the document review fees were credited against the fee agreement.

**New Mexico Environment Department
Hazardous Waste Bureau**

Fee Collection during FY2019 (July 01, 2018 - June 30, 2019)

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	\$	242,774.74
Total Fees Received	<u>\$</u>	<u>242,774.74</u>

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU**

FY19 EXPENDITURES

Hazardous Waste Bureau General Ledger 8/13/2019	DOD FY19 (100% FF)	Kirtland Bulk Fuel Facility Spill FY19 (100% FF)	RCRA FY19 (100% FF)	RCRA FY19 State Match (100% OSF)	HWB Permit Fees (339)	WIPP Permit Fees (339)	HWB Generator Fees (339)	LANL Permit Fees (339)	On Call Response (957)	Hazardous Waste Bureau General Ledger 8/13/2019	
Total Bureau Budget											Total Bureau Budget
PS&EB	\$ 61,400	\$ 130,000	\$ 659,000	\$ 283,200	\$ 732,000	\$ 384,900	\$ 336,500	\$ 601,400	\$ 119,900	\$ 3,308,300	PS&EB
Indirect Charge: 21.21%	\$ 13,022.94	\$ 27,573	\$ 182,399	\$ -	\$ 155,257	\$ 81,637	\$ 71,372	\$ 127,557	\$ 25,431	\$ 684,249	Indirect Charge: 21.21%
Contracts	\$ -	\$ 70,000	\$ -	\$ -	\$ 82,284	\$ 113,500	\$ -	\$ 45,000	\$ 100,000	\$ 410,784	Contracts
Other	\$ 6,700	\$ 9,000	\$ -	\$ -	\$ 191,000	\$ 61,500	\$ 88,100	\$ 66,400	\$ 18,600	\$ 441,300	Other
Total	\$ 81,123	\$ 236,573	\$ 841,399	\$ 283,200	\$ 1,160,541	\$ 641,537	\$ 495,972	\$ 840,357	\$ 263,931	\$ 4,844,633	Total
Total Bureau Expense											Total Bureau Expense
PS&EB	\$ 3,357.98	\$ 56,167.51	\$ 637,326.13	\$ 283,200.00	\$ 685,520.03	\$ 380,804.11	\$ 310,009.62	\$ 600,831.56	\$ 111,212.83	\$ 3,068,429.77	PS&EB
Indirect Charge: 21.21%	\$ 712.23	\$ 11,913.13	\$ 135,176.87	\$ -	\$ 145,398.80	\$ 80,768.55	\$ 65,753.04	\$ 127,436.37	\$ 23,588.24	\$ 590,747.23	Indirect Charge: 21.21%
Contracts	\$ -	\$ 21,918.32	\$ -	\$ -	\$ 68,301.64	\$ 50,423.22	\$ -	\$ 34,474.00	\$ 13,866.25	\$ 188,983.43	Contracts
Other	\$ 1,702.16	\$ -	\$ -	\$ -	\$ 180,414.57	\$ 54,934.85	\$ 84,705.92	\$ 63,705.92	\$ 12,390.93	\$ 397,854.35	Other
Total	\$ 5,772.37	\$ 89,998.96	\$ 772,503.00	\$ 283,200.00	\$ 1,079,635.04	\$ 566,930.73	\$ 460,468.58	\$ 826,447.85	\$ 161,058.25	\$ 4,246,014.78	Total
Remaining Budget	\$ 75,350.57	\$ 146,574.04	\$ 68,896.00	\$ -	\$ 80,906.16	\$ 74,606.56	\$ 35,503.07	\$ 13,909.09	\$ 102,872.54	\$ 598,618.03	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, FY19 RCRA grant was cut from application request. Also, during FY19, 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.