

ANNUAL FEE REPORT

July 1, 2019 through June 30, 2020

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU**

October 2020

**New Mexico Environment Department
Hazardous Waste Bureau**

Fee Collection during FY2020 (July 01, 2019 - June 30, 2020)

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***	\$ 539,000.00
HWB Document Review Fees ****	\$ 604,250.00
KAFB Cooperative Agreement**	\$ 89,984.11
WIPP Fee Agreement*	\$ 534,755.00
LANL Fee Agreement*	\$ 718,000.00
Total Fees Received	<u>\$ 2,485,989.11</u>

Note:

* Fee Agreement during FY2020. 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 expired January 2020.

***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.

**** Includes permit renewals and late fees

Fees Received by Facility for FY2020

Permit Fees	Document Fees Received FY20	2019 Annual Fee	FY20 Supplemental Fees/Cooperative Agreements	Total Fees Received
Advance Chemical Treatment	\$ -	\$ 2,000.00	\$ -	\$ 2,000.00
Cannon Air Force Base	\$ 26,250.00	\$ 30,250.00	\$ -	\$ 56,500.00
Fort Bliss	\$ 14,000.00	\$ 5,250.00	\$ -	\$ 19,250.00
Fort Wingate Depot Activity	\$ 51,500.00	\$ 70,750.00	\$ -	\$ 122,250.00
Holloman Air Force Base	\$ 58,000.00	\$ 27,250.00	\$ -	\$ 85,250.00
Kirtland Air Force Base**	\$ 56,500.00	\$ 38,250.00	\$ 89,984.11	\$ 184,734.11
Los Alamos National Laboratory *	\$ -	\$ -	\$ 718,000.00	\$ 718,000.00
Melrose Range	\$ 2,000.00	\$ 5,250.00	\$ -	\$ 7,250.00
NASA	\$ 73,500.00	\$ 51,500.00	\$ -	\$ 125,000.00
Navajo Refining Company	\$ 34,000.00	\$ 45,000.00	\$ -	\$ 79,000.00
PNM Person Generating Station	\$ -	\$ -	\$ -	\$ -
Safety Kleen Albuquerque	\$ 500.00	\$ 8,000.00	\$ -	\$ 8,500.00
Safety Kleen Farmington	\$ 500.00	\$ 4,000.00	\$ -	\$ 4,500.00
Sandia National Laboratories	\$ 51,000.00	\$ 40,750.00	\$ -	\$ 91,750.00
Spartan Technologies	\$ 13,000.00	\$ 4,750.00	\$ -	\$ 17,750.00
Transwestern Pipeline	\$ 14,500.00	\$ 4,000.00	\$ -	\$ 18,500.00
Triassic Park Disposal Facility	\$ -	\$ -	\$ -	\$ -
Waste Isolation Pilot Plant *	\$ -	\$ -	\$ 534,755.00	\$ 534,755.00
Western Refining Company - Bloomfield	\$ 7,000.00	\$ 22,500.00	\$ -	\$ 29,500.00
Western Refining Company - Gallup	\$ 113,500.00	\$ 15,250.00	\$ -	\$ 128,750.00
White Sands Missile Range	\$ 88,500.00	\$ 164,250.00	\$ -	\$ 252,750.00
Totals	\$ 604,250.00	\$ 539,000.00	\$ 1,342,739.11	\$ 2,485,989.11

Note:

* Fee Agreement during FY2020. 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 expired January 2020.

The following table provides a listing of the fees collected and the associated hours of staff during FY2020 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 \$78.15 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 prorated to account for adjustments to the hourly rate made through adoption of revised fee regulations effective on March 5, 2020. The hourly rate is multiplied by the hours to determine costs related to the facility in a given year.

FY20	Annual Fee Amount Received versus Miscellaneous Hours				Total Amount Received versus Total Hours			
	Annual Fee Amount Received	Total Miscellaneous Hours	Miscellaneous at \$78.15	Difference at \$78.15	Total Amount Received	Total Hours	Total at \$78.15	Difference at \$78.15
Advance Chemical Treatment/Rinchem								
FY20	\$ 2,000	409.00	\$ 31,963	\$ (29,963)	\$ 2,000	1417.00	\$ 110,739	\$ (108,739)
Cannon Air Force Base								
FY20	\$ 30,250	151.25	\$ 11,820	\$ 18,430	\$ 26,250	624.75	\$ 48,824	\$ (22,574)
Fort Bliss								
FY20	\$ 5,250	25.75	\$ 2,012	\$ 3,238	\$ 14,000	73.00	\$ 5,705	\$ 8,295
Fort Wingate Depot Activity								
FY20	\$ 70,750	72.75	\$ 5,685	\$ 65,065	\$ 51,500	1028.10	\$ 80,346	\$ (28,846)
Holloman Air Force Base								
FY20	\$ 27,250	142.75	\$ 11,156	\$ 16,094	\$ 58,000	1261.25	\$ 98,567	\$ (40,567)
Kirtland Air Force Base**								
FY20	\$ 38,250	1149.50	\$ 89,833	\$ (51,583)	\$ 146,484	3525.00	\$ 275,479	\$ (128,995)
Los Alamos National Laboratory *								
FY20	\$ -	1830.30	\$ 143,038	\$ (143,038)	\$ 233,500	5283.30	\$ 412,890	\$ (179,390)
Melrose Air Force Range								
FY20	\$ 5,250	33.00	\$ 2,579	\$ 2,671	\$ 2,000	466.00	\$ 36,418	\$ (34,418)
NASA White Sands Test Facility								
FY20	\$ 51,500	87.00	\$ 6,799	\$ 44,701	\$ 73,500	1135.00	\$ 88,700	\$ (15,200)
Navajo Refining Corporation								
FY20	\$ 45,000	162.25	\$ 12,680	\$ 32,320	\$ 34,000	1529.75	\$ 119,550	\$ (85,550)
PNM Persons Generating Station								
FY20	\$ -	0.00	\$ -	\$ -	\$ -	0.00	\$ -	\$ -
Safety-Kleen Albuquerque								
FY20	\$ 8,000	73.75	\$ 5,764	\$ 2,236	\$ 500	363.75	\$ 28,427	\$ (27,927)
Safety-Kleen Farmington								
FY20	\$ 4,000	74.25	\$ 5,803	\$ (1,803)	\$ 500	316.75	\$ 24,754	\$ (24,254)
Sandia National Laboratories								
FY20	\$ 40,750	129.25	\$ 10,101	\$ 30,649	\$ 51,000	928.25	\$ 72,543	\$ (21,543)
Sparton Technology								
FY20	\$ 4,750	388.50	\$ 30,361	\$ (25,611)	\$ 13,000	739.00	\$ 57,753	\$ (44,753)
Triassic Park Disposal Facility								
FY20	\$ -	14.00	\$ 1,094	\$ (1,094)	\$ -	41.00	\$ 3,204	\$ (3,204)
Transwestern Pipeline								
FY20	\$ 4,000	73.00	\$ 5,705	\$ (1,705)	\$ 14,500	61.50	\$ 4,806	\$ 9,694
Waste Isolation Pilot Plant *								
FY20	\$ -	2494.50	\$ 194,945	\$ (194,945)	\$ 127,500	2765.25	\$ 216,104	\$ (88,604)
Western Refining Company - Bloomfield								
FY20	\$ 22,500	151.00	\$ 11,801	\$ 10,699	\$ 7,000	137.00	\$ 10,707	\$ (3,707)
Western Refining Company - Gallup								
FY20	\$ 15,250	168.75	\$ 13,188	\$ 2,062	\$ 113,500	783.00	\$ 61,191	\$ 52,309
White Sands Missile Range								
FY20	\$ 164,750	200.25	\$ 15,650	\$ 149,100	\$ 88,500	1074.50	\$ 83,972	\$ 4,528
TOTALS								
FY20	\$ 539,500	7,831	\$ 611,977	\$ (72,477)	\$ 1,057,234	23,553	\$ 1,840,679	\$ (783,445)

Number of documents and hours of review for FY2020

Document Type	Number of Documents Received	Total Hours per Document Type for FY2020
ACA/ACM Completion Report	6	117.00
ACA/ACM Work Plan	2	227.75
Audit Review	4	368.50
Certification of Completion	4	167.00
Class 1 modification (with prior approval)	2	589.83
Class 1 modification (without prior approval)	10	341.75
Class 2 modification	1	183.00
Class 3 modification	2	776.50
Class 3 Petition for CAC/NFA	1	168.75
Closure Plan	0	65.50
Closure Report	2	274.50
CMS Report/CME	1	221.75
FFCO Administration	36	3293.08
Frequent Monitoring Plan	1	12.25
Interim Measures Monitoring Report	2	52.50
Interim Measures Report	10	925.50
Interim Measures Work Plan	6	493.25
Investigation Report (RFI Report)/Phase Report	11	1065.25
Investigation Report with Risk Assessment	6	952.75
Investigation Work Plan (RFI Work Plan)	10	969.50
Letter Work Plan (supplemental Work Plan/addendum)	3	65.00
Monitoring Plan	6	385.50
Operation and Maintenance Plan	2	67.50
Periodic Monitoring Report	60	7242.00
Permit	0	464.00
Pilot/Aquifer Test Report	2	375.75
Pilot/Aquifer Test Work Plan	2	971.00
RCRA Facility Assessment (RFA) Report	1	92.25
Release Assessment/SWMU Assessment Report	5	413.00

**Number of documents under review and average time per document review for
FY2020**

Facility	Document under review during FY20	AVG Hours per document
ACT/RNCH	1	409.5
CAFB	8	78.9
FB	6	12.4
FWDA	10	102.9
HAFB	13	97.1
KAFB	15	235.0
LANL	78	68.5
MELR	3	156.0
NASA	20	59.0
NRC	7	218.6
SKAL	2	181.9
SKFA	2	158.4
SNL	17	54.9
ST	3	250.4
TPDF	0	41.0
TWP	3	40.5
WIPP	9	307.3
WRB	2	72.8
WRG	21	77.3
WSMR	10	118.3

Notes:

A fee agreement was in place during FY16 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 FY2020 (July 01, 2019 - June 30, 2020)

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	\$	231,029.36
Total Fees Received	<u>\$</u>	<u>231,029.36</u>

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU**

FY20 EXPENDITURES

Hazardous Waste Bureau General Ledger 8/27/20		Hazardous Waste Bureau General Ledger 8/27/20										Total Bureau Budget							
PS&EB	Indirect Charge: 22.08%	Contracts	Other	HWB Corrective Fund	DOD FY20 (ENV00413) (100% FF)	Kirtland Bulk Fuel Facility Spill FY20 (ENV00348) (100% FF)	RCRA FY20 (ENV00440) (100% FF)	RCRA FY20 (MHWB00440) State Match (100% OSF)	HWB Permit Fees (339)	WPP Permit Fees (339)	HWB Generator Fees (339)	LANL Permit Fees (339)	On Call Response (957)	PS&EB	Indirect Charge: 22.08%	Contracts	Other	Total	
260,700.00	-	205,000.00	89,300.00	116,600.00	17,300	61,700	631,500	257,000	578,100	391,100	259,600	523,100	144,900	3,241,600	-	345,000	468,200	4,630,492	
-	-	-	-	-	3,820	13,623	139,435	-	127,644	86,355	57,320	115,500	31,994	2,359,149.34	-	-	-	2,359,149.34	
-	-	-	-	-	4,600	40,000	-	-	-	-	-	-	100,000	458,369.61	-	-	-	458,369.61	
-	-	-	-	-	2,109.47	21,414.81	-	-	99,224.20	47,495.54	81,110.92	75,037.27	16,758.35	321,319.07	-	-	-	321,319.07	
-	-	-	-	-	23,610.37	31,339.25	25,301.26	(26,200.00)	198,438.07	118,668.60	167,717.37	121,232.38	138,531.69	1,470,239.01	-	-	-	1,470,239.01	
Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	
555,000.00	555,000.00	555,000.00	555,000.00	116,600.00	25,720	121,323	770,935	257,000	820,744	534,755	407,220	718,000	303,194	3,160,252.83	3,160,252.83	3,160,252.83	3,160,252.83	3,160,252.83	
Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense	Total Bureau Expense
PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	PS&EB	
Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	Indirect Charge: 22.08%	
Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts	Contracts
Other	Other	Other	Other	Other	Other	Other	Other	Other	Other	Other	Other	Other	Other	Other	Other	Other	Other	Other	Other
555,000.00	555,000.00	555,000.00	555,000.00	116,600.00	25,720	121,323	770,935	257,000	820,744	534,755	407,220	718,000	303,194	3,160,252.83	3,160,252.83	3,160,252.83	3,160,252.83	3,160,252.83	
Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget	Remaining Budget
555,000.00	555,000.00	555,000.00	555,000.00	116,600.00	23,610.37	31,339.25	25,301.26	(26,200.00)	198,438.07	118,668.60	167,717.37	121,232.38	138,531.69	1,470,239.01	1,470,239.01	1,470,239.01	1,470,239.01	1,470,239.01	

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.