

Hazardous Waste Bureau
Hazardous Waste Permit and
Corrective Action
Fees Update
20.4.2 NMAC

CHANGES TO THE FEE REGULATIONS

1. Clarifications - Scope
2. Definitions - Document Types
3. Fee Adjustments - Basis for the Changes
4. Other Additions – Document Submittals, Emergency Permits

CLARIFICATIONS

20.4.2.2 Scope -

Reference to enforceable documents – clarify that documents submitted by a facility under another program that require Hazardous Waste Bureau review are subject to review fees.

DEFINITIONS

1. Background Study Report
2. Background Study Work Plan
3. Emergency Permit
4. Frequent Monitoring Plan
5. Frequent Monitoring Report
6. Letter Report
7. Letter Work Plan
8. Notice of Disapproval
9. Petition for NFA Review
10. Release Assessment or SWMU Assessment Report
11. Revision
12. Well Abandonment Report
13. Well Abandonment Work Plan

METHOD FOR CALCULATION OF FEE CHANGES

1. Task Tracking Database – July 2007 – June 2018
2. Hourly Rate Calculation – 10 yr. unit cost history (\$93.09/hour)
3. 2002 Hourly Rate calculated at \$70.48/hour
4. \$70.48 multiplied by 2004-2018 inflation rate 1.34% = \$94.44
5. Average Document Review Hours multiplied by Hourly Rate =
Updated Document Review Fee

20.4.2.201.N ADJUSTMENT FOR INFLATION

All fees listed in 204.2.204 through 20.4.2.210 will be adjusted annually on January 1 of each year by the percentage inflation (or deflation) rate for the previous year based on the preceding years Consumer Price Index rate as listed on December 1.

December 1 was selected to allow time for the Bureau to update and distribute the updated fee schedule prior to January 1.

Basis for Fee Adjustments

20.4.2.204 – Table 1 - Annual Fees

Annual Fees were adjusted for inflation – Value of a 2004 dollar in 2018 is \$1.34 therefore the Annual Fees raised by approximately 1/3 and with rounding.

Adjustment based on the number of SWMUs was removed.

Basis for Fee Adjustments

20.4.2.205 – Table 2 – Application and Corrective Action Section Fees

1. Adjustments Based on Staff Time Tracking Data
2. Adjustments Based on Inflation
3. Adjustments Based on Similarity of Permitted Activity to Activities Adjusted Based on Staff Time Tracking

Table 2 – Application and Corrective Action Section Fees

Facility	Total Hrs	Document Type	Permit or CA	Amount Paid	Hourly
ACT/RNCM	2780.00	Permit - Container Storage including CA Section	Table 2	\$ 31,000.00	\$ 11.15
SKAL	1984.00	Permit - Storage	Table 2	\$ 24,000.00	\$ 12.10
SKFA	1940.00	Permit - Storage	Table 2	\$ 24,000.00	\$ 12.37
LANL	1918.75	Permit - Container Storage	Table 2	\$ 24,000.00	\$ 12.51
FWDA	707.25	Permit - Post Closure, Subpart X and Corrective Action Section	Table 2	\$ 127,000.00	\$ 179.57
NRC	1262.75	Permit - Post Closure and Corrective Action Section	Table 2	\$ 187,000.00	\$ 148.09
PNM	1257.00	Permit - Post Closure	Table 2	\$ 67,000.00	\$ 53.30
ST	1049.00	Permit - Post Closure	Table 2	\$ 68,000.00	\$ 64.82
CAFB	998.50	Permit - Corrective Action Section	Table 2	\$ 10,000.00	\$ 10.02
HAFB	705.50	Permit - Subpart X and Corrective Action	Table 2	\$ 67,000.00	\$ 94.97
TPDF	4378.92	Permit - Land Disposal and Corrective Action Section	Table 2	\$ 67,000.00	\$ 15.30
WIPP	2323.75	Permit - Disposal and Container Storage	Table 2	\$ 565,000.00	\$ 243.14
WRG	2369.50	Permit - PCCP Land Treatment	Table 2	\$ 81,000.00	\$ 34.18
	23674.92			\$ 1,342,000.00	\$ 56.68
				\$ 2,235,859.13	Total Hours x \$94.44
				\$ 171,989.16	Avg. Cost Review

Basis for Fee Adjustments

20.4.2.206 – Table 3 – Interim Status Closure Plan and Interim Status Permitted Unit Review Fees

1. Adjustments Based on Staff Time Tracking Data
2. No Adjustments for Units not Permitted in New Mexico

20.4.2.206 – Table 3 – Interim Status Closure Plan and Interim Status Permitted Unit Review Fees

Facility	Total Hrs	Document Type	Permit or CA	Amount Paid	Hourly
WSMR	35.50	Closure Plan - Land Disposal	Table 3	\$ 20,000.00	\$ 563.38
WSMR	186.25	Closure Plan - Land Disposal	Table 3	\$ 20,000.00	\$ 107.38
WSMR	133.00	Closure Plan - Land Disposal	Table 3	\$ 40,000.00	\$ 300.75
	354.75			\$ 80,000.00	\$ 225.51
				\$ 33,502.59	Total Hours x \$94.44
				\$ 11,167.53	Avg. Cost Review

Facility	Total Hrs	Document Type	Permit or CA	Amount Paid	Hourly
LANL	139.50	Closure Plan - Subpart X	Table 3	\$ 10,000.00	\$ 71.68
LANL	142.00	Closure Plan - Subpart X	Table 3	\$ 10,000.00	\$ 70.42
LANL	874.00	Closure Plan - Subpart X	Table 3	\$ 10,000.00	\$ 11.44
WSMR	971.00	Closure Plan - Subpart X	Table 3	\$ 10,000.00	\$ 10.30
	2126.50			\$ 40,000.00	\$ 18.81
				\$ 200,826.66	Total Hours x \$94.44
				\$ 50,206.67	Avg. Cost Review

Basis for Fee Adjustments

20.4.207 – Table 4 – Permit Modification Fees

1. Adjustments Based on Staff Time Tracking Data
2. Corrective Action Complete Additional Unit Fees

20.4.207 – Table 4 – Permit Modification Fees

Table 4 - Permit Modification Fees	
Class 1 (without prior approval)	
Documents	111
Total Hours	2110.50
Total Collected	\$57,000
Avg. Hours	19.01
Avg. Hrly Rate	\$27.01
Current review fee	\$500
2018 Hourly - Avg. Cost for Review	\$1,796
New Proposed Fee	\$1,800

Table 4 - Permit Modification Fees	
Class 1 (with prior approval)	
Documents	47
Total Hours	3165.00
Total Collected	\$117,500
Avg. Hours	67.34
Avg. Hrly Rate	\$37.12
Current review fee	\$2,500
2018 Hourly - Avg. Cost for Review	\$6,360
New Proposed Fee	\$6,500

20.4.207 – Table 4 – Permit Modification Fees

Facility	Total Hrs	Document Type	Permit or CA	Amount Pa	Hourly
		Class 3 Petition for Corrective Action Complete			
CAFB	148.75	Review/Petition for No Further Action	Table 4	\$ 7,000.00	\$ 47.06
PNM	137.50	Review/Petition for No Further Action	Table 4	\$ 7,000.00	\$ 50.91
SNL	487.25	Review/Petition for No Further Action	Table 4	\$ 7,000.00	\$ 14.37
SNL	1920.75	Review/Petition for No Further Action	Table 4	\$ 7,000.00	\$ 3.64
WSMR	183.00	Review/Petition for No Further Action	Table 4	\$ 7,000.00	\$ 38.25
WSMR	171.00	Review/Petition for No Further Action	Table 4	\$ 7,000.00	\$ 40.94
CAFB	80.25	Review/Petition for No Further Action	Table 4	\$ 7,250.00	\$ 90.34
FWDA	76.00	Review/Petition for No Further Action	Table 4	\$ 7,250.00	\$ 95.39
HAFB	44.00	Review/Petition for No Further Action	Table 4	\$ 7,250.00	\$ 164.77
WSMR	455.75	Review/Petition for No Further Action	Table 4	\$ 7,250.00	\$ 15.91
CAFB	142.00	Review/Petition for No Further Action	Table 4	\$ 7,500.00	\$ 52.82
CAFB	128.75	Review/Petition for No Further Action	Table 4	\$ 7,500.00	\$ 58.25
WSMR	343.25	Review/Petition for No Further Action	Table 4	\$ 7,500.00	\$ 21.85
CAFB	213.25	Review/Petition for No Further Action	Table 4	\$ 7,750.00	\$ 36.34
KAFB	1243.25	Review/Petition for No Further Action	Table 4	\$ 7,750.00	\$ 6.23
FWDA	215.75	Review/Petition for No Further Action	Table 4	\$ 8,000.00	\$ 37.08
HAFB	357.50	Review/Petition for No Further Action	Table 4	\$ 8,000.00	\$ 22.38
SNL	962.00	Review/Petition for No Further Action	Table 4	\$ 8,250.00	\$ 8.58
WSMR	382.25	Review/Petition for No Further Action	Table 4	\$ 8,250.00	\$ 21.58
HAFB	349.75	Review/Petition for No Further Action	Table 4	\$ 8,500.00	\$ 24.30
HAFB	342.50	Review/Petition for No Further Action	Table 4	\$ 8,500.00	\$ 24.82
CAFB	486.00	Review/Petition for No Further Action	Table 4	\$ 8,750.00	\$ 18.00
WSMR	653.75	Review/Petition for No Further Action	Table 4	\$ 9,500.00	\$ 14.53
CAFB	417.50	Review/Petition for No Further Action	Table 4	\$ 10,250.00	\$ 24.55
CAFB	457.25	Review/Petition for No Further Action	Table 4	\$ 10,250.00	\$ 22.42
WIPP	289.00	Review/Petition for No Further Action	Table 4	\$ 12,500.00	\$ 43.25
HAFB	606.75	Review/Petition for No Further Action	Table 4	\$ 14,750.00	\$ 24.31
	11294.75			\$ 224,500.00	\$ 19.88
				\$ 1,066,676.19	Total Hours x \$94.44
				\$ 39,506.53	Avg. Cost Review

Basis for Fee Adjustments

20.4.2.208 – Table 5 – Corrective Action Submittal Review Fees

1. Adjustments Based on Staff Task Tracking
2. New Document Types

20.4.2.208 – Table 5 – Corrective Action Submittal Review Fees

Table 5 - Corrective Action Submittal Review Fees	
Corrective Measures Study Report/ Corrective Measures Evaluation	
Documents	6
Total Hours	3662.50
Total Collected	\$90,000
Avg. Hours	610.00
Avg. Hrly Rate	\$24.57
Current review fee	\$15,000
2018 Hourly - Avg. Cost for Review	\$57,648
New Proposed Fee	\$30,000

Table 5 - Corrective Action Submittal Review Fees	
Interim Measures Work Plan	
Documents	60
Total Hours	10952.75
Total Collected	\$149,000
Avg. Hours	182.55
Avg. Hrly Rate	\$13.60
Current review fee	\$5,000
2018 Hourly - Avg. Cost for Review	\$17,240
New Proposed Fee	\$17,000

20.4.2.208 – Table 5 – Corrective Action Submittal Review Fees

Table 5 - Corrective Action Submittal Review Fees	
Investigation Report (RFI Report)/Phase Report	
Documents	132
Total Hours	25371.75
Total Collected	\$1,287,000
Avg. Hours	192.21
Avg. Hrly Rate	\$50.73
Current review fee	\$7,500
2018 Hourly - Avg. Cost for Review	\$18,152
New Proposed Fee	\$18,000

Table 5 - Corrective Action Submittal Review Fees	
Monitoring Plan	
Documents	94
Total Hours	9645.75
Total Collected	\$239,000.00
Avg. Hours	102.61
Avg. Hrly Rate	\$24.78
Current review fee	\$2,500
2018 Hourly - Avg. Cost for Review	\$9,691
New Proposed Fee	\$10,000

20.4.2.208 – Table 5 – Corrective Action Submittal Review Fees

Table 5 - Corrective Action Submittal Review Fees	
Pilot/Aquifer Test Report	
Documents	11
Total Hours	1529.25
Total Collected	\$16,500
Avg. Hours	139.02
Avg. Hrly Rate	\$10.79
Current review fee	\$1,000
2018 Hourly - Avg. Cost for Review	\$13,129
New Proposed Fee	\$10,000

Table 5 - Corrective Action Submittal Review Fees	
RCRA Facility Assessment (RFA) Report	
Documents	4
Total Hours	620.00
Total Collected	\$22,000
Avg. Hours	155.00
Avg. Hrly Rate	\$35.48
Current review fee	\$3,500
2018 Hourly - Avg. Cost for Review	\$14,638
New Proposed Fee	\$14,500

Basis for Fee Adjustments

20.4.2.209 – Table 6 – Land Disposal, Audit Review and Other Fees

1. Adjustments Based on Staff Task Tracking
2. New Document Type

Basis for Fee Adjustments

20.4.2.210 – Table 7 – Change During Interim Status Fees

1. Actions are the Same and Adjustments Are the Same as Table 4 – Permit Modification Fees

Questions/Comments