

ANNUAL FEE REPORT

July 1, 2016 through June 30, 2017

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU**

October 2017

**New Mexico Environment Department
Hazardous Waste Bureau**

Fee Collection during FY2017 (July 01, 2016 - June 30, 2017)

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***	\$ 569,750.00
HWB Document Review Fees ****	\$ 584,797.44
KAFB Cooperative Agreement**	\$ 250,000.00
WIPP Fee Agreement*	\$ 442,002.00
LANL Fee Agreement*	\$ 875,758.00
Total Fees Received	<u>\$ 2,722,307.44</u>

Note:

* Fee Agreement during FY2017. 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.

**** Includes permit renewals and late fees

Fees Received by Facility for FY2017

Permit Fees	Document Fees Received FY17	2017 Annual Fee	FY17 Supplemental Fees/Cooperative Agreements	Total Fees Received
Advance Chemical Treatment	\$ 1,500.00	\$ 2,000.00	\$ -	\$ 3,500.00
Cannon Air Force Base	\$ 99,750.00	\$ 38,250.00	\$ -	\$ 138,000.00
Fort Bliss	\$ 12,000.00	\$ 5,250.00	\$ -	\$ 17,250.00
Fort Wingate Depot Activity	\$ 59,547.44	\$ 70,750.00	\$ -	\$ 130,297.44
Holloman Air Force Base	\$ 126,000.00	\$ 44,250.00	\$ -	\$ 170,250.00
Kirtland Air Force Base**	\$ 13,750.00	\$ 38,250.00	\$ 250,000.00	\$ 302,000.00
Los Alamos National Laboratory *	\$ -	\$ -	\$ 875,758.00	\$ 875,758.00
Melrose Range	\$ 2,000.00	\$ 5,250.00	\$ -	\$ 7,250.00
NASA	\$ 51,000.00	\$ 51,500.00	\$ -	\$ 102,500.00
Navajo Refining Company	\$ 23,500.00	\$ 45,000.00	\$ -	\$ 68,500.00
PNM Person Generating Station	\$ 10,000.00	\$ 4,000.00	\$ -	\$ 14,000.00
Safety Kleen Albuquerque	\$ 500.00	\$ 8,000.00	\$ -	\$ 8,500.00
Safety Kleen Farmington	\$ -	\$ 4,000.00	\$ -	\$ 4,000.00
Sandia National Laboratories	\$ 46,000.00	\$ 39,000.00	\$ -	\$ 85,000.00
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 *	\$ -	\$ -	\$ 442,002.00	\$ 442,002.00
Western Refining Company - Bloomfield	\$ 6,500.00	\$ 22,500.00	\$ -	\$ 29,000.00
Western Refining Company - Gallup	\$ 32,000.00	\$ 14,500.00	\$ -	\$ 46,500.00
White Sands Missile Range	\$ 96,250.00	\$ 168,500.00		\$ 264,750.00
Totals	\$ 584,797.44	\$ 569,750.00	\$ 1,567,760.00	\$ 2,722,307.44

Note:

* Fee Agreement during FY2017. 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 FY2017 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.

FY17	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								
FY17	\$ 2,000	398.75	\$ 28,104	\$ (26,104)	\$ 3,500	542.75	\$ 38,253	\$ (34,753)
Cannon Air Force Base								
FY17	\$ 38,250	84.50	\$ 5,956	\$ 32,294	\$ 138,000	1284.75	\$ 90,549	\$ 47,451
Fort Bliss								
FY17	\$ 5,250	9.50	\$ 670	\$ 4,580	\$ 17,250	557.50	\$ 39,293	\$ (22,043)
Fort Wingate Depot Activity								
FY17	\$ 70,750	138.25	\$ 9,744	\$ 61,006	\$ 130,297	2267.50	\$ 159,813	\$ (29,516)
Holloman Air Force Base								
FY17	\$ 44,250	64.50	\$ 4,546	\$ 39,704	\$ 170,250	2022.50	\$ 142,546	\$ 27,704
Kirtland Air Force Base**								
FY17	\$ 38,250	1759.67	\$ 124,022	\$ (85,772)	\$ 302,000	2958.42	\$ 208,509	\$ 93,491
Los Alamos National Laboratory *								
FY17	\$ -	1539.75	\$ 108,522	\$ (108,522)	\$ 875,758	7558.00	\$ 532,688	\$ 343,070
Melrose Air Force Range								
FY17	\$ 5,250	9.75	\$ 687	\$ 4,563	\$ 7,250	12.25	\$ 863	\$ 6,387
NASA White Sands Test Facility								
FY17	\$ 51,500	150.75	\$ 10,625	\$ 40,875	\$ 102,500	1135.00	\$ 79,995	\$ 22,505
Navajo Refining Corporation								
FY17	\$ 45,000	338.43	\$ 23,853	\$ 21,147	\$ 68,500	1522.18	\$ 107,283	\$ (38,783)
PNM Persons Generating Station								
FY17	\$ 4,000	21.50	\$ 1,515	\$ 2,485	\$ 14,000	246.75	\$ 17,391	\$ (3,391)
Safety-Kleen Albuquerque								
FY17	\$ 8,000	38.00	\$ 2,678	\$ 5,322	\$ 8,500	677.00	\$ 47,715	\$ (39,215)
Safety-Kleen Farmington								
FY17	\$ 4,000	27.50	\$ 1,938	\$ 2,062	\$ 4,000	399.25	\$ 28,139	\$ (24,139)
Sandia National Laboratories								
FY17	\$ 39,000	197.75	\$ 13,937	\$ 25,063	\$ 85,000	1283.25	\$ 90,443	\$ (5,443)
Sparton Technology								
FY17	\$ 4,750	166.28	\$ 11,719	\$ (6,969)	\$ 4,750	671.78	\$ 47,347	\$ (42,597)
Triassic Park Disposal Facility								
FY17	\$ -	3.00	\$ 211	\$ (211)	\$ -	379.00	\$ 26,712	\$ (26,712)
Transwestern Pipeline								
FY17	\$ 4,000	98.75	\$ 6,960	\$ (2,960)	\$ 8,500	170.00	\$ 11,982	\$ (3,482)
Waste Isolation Pilot Plant *								
FY17	\$ -	2608.50	\$ 183,847	\$ (183,847)	\$ 442,002	3136.00	\$ 221,025	\$ 220,977
Western Refining Company - Bloomfield								
FY17	\$ 22,500	30.03	\$ 2,117	\$ 20,383	\$ 29,000	680.03	\$ 47,929	\$ (18,929)
Western Refining Company - Gallup								
FY17	\$ 14,500	77.78	\$ 5,482	\$ 9,018	\$ 46,500	523.03	\$ 36,863	\$ 9,637
White Sands Missile Range								
FY17	\$ 168,500	36.25	\$ 2,555	\$ 165,945	\$ 264,750	705.50	\$ 49,724	\$ 215,026
TOTALS								
FY17	\$ 569,750	7,799	\$ 549,687	\$ 20,063	\$ 2,722,307	28,732	\$ 2,025,062	\$ 697,245

Number of documents and hours of review for FY2017

Document Type	Number of Documents Received	Total Hours per Document Type for FY2017
ACA/ACM Completion Report	2	95.75
ACA/ACM Work Plan	3	213.25
Audit Review	8	273.00
Certification of Completion	5	286.00
Class 1 modification (with prior approval)	13	460.50
Class 1 modification (without prior approval)	16	164.50
Class 2 modification	3	920.00
Class 3 modification	2	103.75
Class 3 Petition for CAC/NFA	13	1914.75
Closure Plan - Subpart X	2	92.00
Closure Plan - Surface Impoundment	1	250.00
Closure Plan - Treatment	1	1.25
Closure Report	1	3.25
CMS Report/CME	5	224.25
Corrective Action Section	1	364.75
FFCO Administration	16	208.00
Interim Measures Report	7	432.50
Interim Measures Work Plan	23	1369.25
Investigation Report (RFI Report)/Phase Report	27	1694.50
Investigation Report with Risk Assessment	12	1404.25
Investigation Work Plan	1	108.00
Investigation Work Plan (RFI Work Plan)	38	1362.25
Monitoring Plan	25	805.25
Notice of Land Transfer	1	7.00
Operation and Maintenance Plan	5	51.75
Periodic Monitoring Report	86	2944.75
Permit	11	3005.00
Pilot/Aquifer Test Work Plan	6	390.00
Release Assessment/SWMU Assessment Report	11	67.00

**Number of documents under review and average time per document review for
FY2017**

Facility	Document under review during FY17	AVG Hours per document
ACT/RNCH	4	36.0
CAFB	23	52.2
FB	8	68.5
FWDA	33	64.5
HAFB	41	47.8
KAFB	22	54.5
LANL	117	51.4
MELR	1	2.5
NASA	30	32.8
NRC	11	107.6
PNM	3	75.1
SKAL	3	213.0
SKFA	1	371.8
SNL	26	41.8
ST	2	252.8
TPDF	1	376.0
TWP	3	23.8
WIPP	12	44.0
WRB	8	81.3
WRG	24	18.6
WSMR	21	31.9

Notes:

A fee agreement was in place during FY17 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 FY2017 (July 01, 2016 - June 30, 2017)

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	\$	304,838.53
Total Fees Received	\$	<u><u>304,838.53</u></u>

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU**

FY 17 EXPENDITURES

Hazardous Waste Bureau General Ledger 10/02/2017	DOD FY17 (100% FF)	Kirtland Bulk Fuel Facility Spill FY17 (100% FF)	RCRA FY17 (75% FF/25% 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 10/02/2017	
Total Bureau Budget										Total Bureau Budget
PS&EB	\$ 88,099.00	\$ 302,600.00	\$ 901,212.00	\$ 1,031,961.00	\$ 382,400.00	\$ 412,800.00	\$ 656,300.00	\$ 168,865.00	\$ 3,944,237.00	PS&EB
Indirect Charge: 21.75%	\$ 19,161.53	\$ 65,815.50	\$ 134,091.00	\$ 224,451.52	\$ 83,172.00	\$ 89,784.00	\$ 142,745.25	\$ 36,728.14	\$ 795,948.94	Indirect Charge: 21.75%
Contracts	\$ -	\$ 30,000.00	\$ 25,618.00	\$ 71,640.00	\$ 120,258.00	\$ 500.00	\$ 108,794.00	\$ 492,950.00	\$ 849,760.00	Contracts
Other	\$ 12,300.00	\$ 19,300.00	\$ 10,000.00	\$ 214,500.00	\$ 55,800.00	\$ 94,000.00	\$ 77,200.00	\$ 13,500.00	\$ 496,600.00	Other
Total	\$ 119,560.53	\$ 417,715.50	\$ 1,070,921.00	\$ 1,542,552.52	\$ 641,630.00	\$ 597,084.00	\$ 985,039.25	\$ 712,043.14	\$ 6,086,545.94	Total
Total Bureau Expense										Total Bureau Expense
PS&EB	\$ 22,459.04	\$ 72,273.51	\$ 810,805.13	\$ 937,296.85	\$ 201,931.07	\$ 269,828.09	\$ 425,719.51	\$ 165,875.68	\$ 2,906,188.88	PS&EB
Indirect Charge: 21.75%	\$ 4,884.84	\$ 15,719.49	\$ 114,427.87	\$ 203,862.06	\$ 43,920.01	\$ 58,687.61	\$ 92,593.99	\$ 36,077.96	\$ 570,173.84	Indirect Charge: 21.75%
Contracts	\$ -	\$ -	\$ 2,531.36	\$ 66,543.73	\$ 40,987.50	\$ 428.67	\$ 77,588.61	\$ 481,626.86	\$ 669,706.73	Contracts
Other	\$ 2,801.11	\$ 1,373.41	\$ 5,669.98	\$ 187,949.10	\$ 40,575.53	\$ 91,388.44	\$ 63,546.10	\$ 12,418.05	\$ 405,721.72	Other
Total	\$ 30,144.99	\$ 89,366.41	\$ 933,434.34	\$ 1,395,651.74	\$ 327,414.11	\$ 420,332.81	\$ 659,448.21	\$ 695,998.55	\$ 4,551,791.17	Total
Remaining Budget	\$ 89,415.54	\$ 328,349.09	\$ 137,486.66	\$ 146,900.77	\$ 314,215.89	\$ 176,751.19	\$ 325,591.04	\$ 16,044.59	\$ 1,534,754.77	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 provides the bureau with additional supplemental funding to augment permitting and enforcement activities. Also, during FY17, the Agency continued work on the 2-year Cooperative Agreement with the Air Force for clean-up activities related to the Kirtland Air Force Base Bulk Fuels Facility Spill. 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.