

ANNUAL FEE REPORT

July 1, 2017 through June 30, 2018

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU**

October 2018

**New Mexico Environment Department
Hazardous Waste Bureau**

Fee Collection during FY2018 (July 01, 2017 - June 30, 2018)

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***	\$ 562,500.00
HWB Document Review Fees ****	\$ 517,000.00
KAFB Cooperative Agreement**	\$ 197,201.00
WIPP Fee Agreement*	\$ 323,383.00
LANL Fee Agreement*	\$ 705,154.00
Total Fees Received	<u>\$ 2,305,238.00</u>

Note:

* Fee Agreement during FY18. 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 FY2018

Permit Fees	Document Fees Received FY18	2018 Annual Fee	FY18 Supplemental Fees/Cooperative Agreements	Total Fees Received
Advance Chemical Treatment	\$ 500.00	\$ 2,000.00	\$ -	\$ 2,500.00
Cannon Air Force Base	\$ 42,000.00	\$ 34,750.00	\$ -	\$ 76,750.00
Fort Bliss	\$ 5,500.00	\$ 3,750.00	\$ -	\$ 9,250.00
Fort Wingate Depot Activity	\$ 26,500.00	\$ 70,750.00	\$ -	\$ 97,250.00
Holloman Air Force Base	\$ 119,000.00	\$ 42,250.00	\$ -	\$ 161,250.00
Kirtland Air Force Base**	\$ 23,000.00	\$ 38,250.00	\$ 197,201.00	\$ 258,451.00
Los Alamos National Laboratory *	\$ -	\$ -	\$ 705,154.00	\$ 705,154.00
Melrose Range	\$ 2,000.00	\$ 5,250.00	\$ -	\$ 7,250.00
NASA	\$ 79,500.00	\$ 51,500.00	\$ -	\$ 131,000.00
Navajo Refining Company	\$ 36,000.00	\$ 45,000.00	\$ -	\$ 81,000.00
PNM Person Generating Station	\$ 4,000.00	\$ 4,000.00	\$ -	\$ 8,000.00
Safety Kleen Albuquerque	\$ 1,000.00	\$ 8,000.00	\$ -	\$ 9,000.00
Safety Kleen Farmington	\$ 500.00	\$ 4,000.00	\$ -	\$ 4,500.00
Sandia National Laboratories	\$ 29,500.00	\$ 42,500.00	\$ -	\$ 72,000.00
Spartan Technologies	\$ -	\$ 4,750.00	\$ -	\$ 4,750.00
Transwestern Pipeline	\$ 2,000.00	\$ 4,000.00	\$ -	\$ 6,000.00
Triassic Park Disposal Facility	\$ -	\$ -	\$ -	\$ -
Waste Isolation Pilot Plant *	\$ -	\$ -	\$ 323,383.00	\$ 323,383.00
Western Refining Company - Bloomfield	\$ 6,500.00	\$ 22,500.00	\$ -	\$ 29,000.00
Western Refining Company - Gallup	\$ 63,500.00	\$ 14,500.00	\$ -	\$ 78,000.00
White Sands Missile Range	\$ 76,000.00	\$ 164,750.00	\$ -	\$ 240,750.00
Totals	\$ 517,000.00	\$ 562,500.00	\$ 1,225,738.00	\$ 2,305,238.00

Note:

* Fee Agreement during FY18. 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 FY2018 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.

FY18	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								
FY18	\$ 2,000	334.00	\$ 23,540	\$ (21,540)	\$ 2,500	547.50	\$ 38,588	\$ (36,088)
Cannon Air Force Base								
FY18	\$ 34,750	113.50	\$ 7,999	\$ 26,751	\$ 76,750	1564.25	\$ 110,248	\$ (33,498)
Fort Bliss								
FY18	\$ 3,750	17.50	\$ 1,233	\$ 2,517	\$ 9,250	130.50	\$ 9,198	\$ 52
Fort Wingate Depot Activity								
FY18	\$ 70,750	156.00	\$ 10,995	\$ 59,755	\$ 97,250	1911.00	\$ 134,687	\$ (37,437)
Holloman Air Force Base								
FY18	\$ 42,250	247.00	\$ 17,409	\$ 24,841	\$ 161,250	2197.00	\$ 154,845	\$ 6,405
Kirtland Air Force Base**								
FY18	\$ 38,250	2141.97	\$ 150,966	\$ (112,716)	\$ 258,451	3074.22	\$ 216,671	\$ 41,780
Los Alamos National Laboratory *								
FY18	\$ -	3342.08	\$ 235,550	\$ (235,550)	\$ 705,154	9859.58	\$ 694,903	\$ 10,251
Melrose Air Force Range								
FY18	\$ 5,250	13.50	\$ 951	\$ 4,299	\$ 7,250	106.75	\$ 7,524	\$ (274)
NASA White Sands Test Facility								
FY18	\$ 51,500	60.50	\$ 61	\$ 51,440	\$ 131,000	1031.25	\$ 72,683	\$ 58,318
Navajo Refining Corporation								
FY18	\$ 45,000	165.75	\$ 11,682	\$ 33,318	\$ 81,000	1446.25	\$ 101,932	\$ (20,932)
PNM Persons Generating Station								
FY18	\$ 4,000	69.00	\$ 4,863	\$ (863)	\$ 8,000	320.25	\$ 22,571	\$ (14,571)
Safety-Kleen Albuquerque								
FY18	\$ 8,000	21.75	\$ 1,533	\$ 6,467	\$ 9,000	272.00	\$ 19,171	\$ (10,171)
Safety-Kleen Farmington								
FY18	\$ 4,000	27.00	\$ 1,903	\$ 2,097	\$ 4,500	358.25	\$ 25,249	\$ (20,749)
Sandia National Laboratories								
FY18	\$ 42,500	123.00	\$ 8,669	\$ 33,831	\$ 72,000	2020.75	\$ 142,422	\$ (70,422)
Sparton Technology								
FY18	\$ 4,750	87.75	\$ 6,185	\$ (1,435)	\$ 4,750	356.25	\$ 25,109	\$ (20,359)
Triassic Park Disposal Facility								
FY18	\$ -	59.00	\$ 4,158	\$ (4,158)	\$ -	334.00	\$ 23,540	\$ (23,540)
Transwestern Pipeline								
FY18	\$ 4,000	24.25	\$ 1,709	\$ 2,291	\$ 6,000	94.50	\$ 6,660	\$ (660)
Waste Isolation Pilot Plant *								
FY18	\$ -	2852.35	\$ 201,034	\$ (201,034)	\$ 323,383	5297.60	\$ 373,375	\$ (49,992)
Western Refining Company - Bloomfield								
FY18	\$ 22,500	34.25	\$ 2,414	\$ 20,086	\$ 29,000	548.50	\$ 38,658	\$ (9,658)
Western Refining Company - Gallup								
FY18	\$ 14,500	288.00	\$ 20,298	\$ (5,798)	\$ 78,000	1520.50	\$ 107,165	\$ (29,165)
White Sands Missile Range								
FY18	\$ 164,750	229.75	\$ 16,193	\$ 148,557	\$ 240,750	1863.00	\$ 131,304	\$ 109,446
TOTALS								
FY18	\$ 562,500	10,408	\$ 729,345	\$ (166,845)	\$ 2,305,238	34,854	\$ 2,456,503	\$ (151,265)

Number of documents and hours of review for FY18

Document Type	Number of Documents Received	Total Hours per Document Type for FY18
ACA/ACM Completion Report	4	251.25
ACA/ACM Work Plan	2	44.00
Audit Review	7	459.50
Certification of Completion	3	237.50
Class 1 (with prior approval)	11	722.50
Class 1 (without prior approval)	10	193.50
Class 2	2	1338.50
Class 3	3	731.75
Class 3 Petition for CAC/NFA	13	2590.50
Closure Plan - Storage	1	238.00
Closure Plan - Subpart X	2	169.50
Closure Plan - Surface Impoundment	2	122.00
Closure Report	1	33.50
CMS Report/CME	2	434.50
FFCO Administration	22	744.75
Interim Measures Monitoring Report	4	207.75
Interim Measures Report	15	908.50
Interim Measures Work Plan	25	1204.50
Investigation Report (RFI Report)/Phase Report	38	2760.75
Investigation Report w/Risk Assessment	13	730.25
Investigation Work Plan (RFI Work Plan)	31	1666.50
Monitoring Plan	16	669.50
Monitoring Work Plan	2	137.00
Operation and Maintenance Plan	1	45.00
Periodic Monitoring Report	85	3228.09
Permit	9	1352.00
Pilot/Aquifer Test Report	1	57.00
Pilot/Aquifer Test Work Plan	10	585.58
Release Assessment/SWMU Assessment Report	8	317.25
Remedy Completion Report	3	172.25
Risk Evaluation/Risk Assessment Report	5	92.25
Status Report	34	1680.33
Well Completion Report	11	320.25
Total	396	24446.00

**Number of documents under review and average time per document review for
FY18**

Facility	Document under review during FY18	AVG Hours per document
ACT	2	106.8
CAFB	23	63.1
FB	7	16.1
FWDA	37	47.4
HAFB	41	47.6
KAFB	18	51.8
LANL	108	60.4
MELR	2	46.6
NASA	36	27.0
NRC	13	98.5
PNM	3	83.8
SKAL	2	125.1
SKFA	2	165.6
SNL	26	73.0
ST	3	89.5
TPDF	1	275.0
TWP	3	23.4
WIPP	11	222.3
WRB	8	64.3
WRG	19	64.9
WSMR	30	54.4

Notes:

A fee agreement was in place during FY18 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 FY2018 (July 01, 2017 - June 30, 2018)

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	\$	253,000.74
Total Fees Received	\$	<u>253,000.74</u>

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU**

FY18 EXPENDITURES

Hazardous Waste Bureau General Ledger 8/01/2018	DOD FY18 (100% FF)	Kirtland Bulk Fuel Facility Spill FY18 (100% FF)	RCRA FY18 (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 8/01/2018	
Total Bureau Budget										Total Bureau Budget
PS&EB	\$ 14,100	\$ 136,994	\$ 1,126,111	\$ 780,079	\$ 370,000	\$ 445,900	\$ 544,000	\$ 174,700	\$ 3,591,884	PS&EB
Indirect Charge: 21.93%	\$ 3,092	\$ 30,043	\$ 182,399	\$ 171,071	\$ 81,141	\$ 97,786	\$ 119,299	\$ 38,312	\$ 723,143	Indirect Charge: 21.93%
Contracts	\$ -	\$ 22,458	\$ 7,000	\$ 119,200	\$ 205,500	\$ 2,700	\$ 175,000	\$ 100,000	\$ 631,858	Contracts
Other	\$ 5,100	\$ 7,706	\$ 7,294	\$ 221,600	\$ 66,300	\$ 95,900	\$ 79,800	\$ 17,700	\$ 501,400	Other
Total	\$ 22,292	\$ 197,201	\$ 1,322,804	\$ 1,291,950	\$ 722,941	\$ 642,286	\$ 918,099	\$ 330,712	\$ 5,448,285	Total
Total Bureau Expense										Total Bureau Expense
PS&EB	\$ 6,020.89	\$ 84,405.76	\$ 1,107,231.17	\$ 592,528.23	\$ 310,705.80	\$ 339,931.67	\$ 507,968.43	\$ 109,943.83	\$ 3,058,735.78	PS&EB
Indirect Charge: 21.93%	\$ 1,320.38	\$ 18,510.18	\$ 182,398.65	\$ 129,941.44	\$ 68,137.78	\$ 74,547.02	\$ 111,397.48	\$ 24,110.68	\$ 610,363.61	Indirect Charge: 21.93%
Contracts	\$ -	\$ 9,237.61	\$ 4,683.78	\$ 71,689.15	\$ 70,595.25	\$ -	\$ 67,836.16	\$ 15,781.05	\$ 239,823.00	Contracts
Other	\$ 1,721.37	\$ 361.20	\$ 7,294.00	\$ 201,929.53	\$ 54,865.64	\$ 89,807.05	\$ 74,358.64	\$ 15,445.67	\$ 445,783.10	Other
Total	\$ 9,062.64	\$ 112,514.75	\$ 1,301,607.60	\$ 996,088.35	\$ 504,304.47	\$ 504,285.74	\$ 761,560.71	\$ 165,281.23	\$ 4,354,705.49	Total
Remaining Budget	\$ 13,229.49	\$ 84,686.03	\$ 21,196.40	\$ 295,861.97	\$ 218,636.53	\$ 138,000.13	\$ 156,538.49	\$ 165,430.48	\$ 1,093,579.53	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, FY18 RCRA grant was cut from application request. Also, during FY18, 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.