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**State of New Mexico Environment Department  
Hazardous Waste Bureau  
Annual Hazardous Waste Fees**

**Invoice:** NMD007396658-1672-CY2002  
**Agency:** HWB-FUND-339/ED ACCT-4169339

**Prior Year Payments**  
2001: \$0  
2000: \$235  
1999: \$0

**Owner:**  
MISSISSIPPI POTASH INC  
PO BOX 101  
CARLSBAD, NM 88220

**Facility:**  
MISSISSIPPI POTASH - NORTH PLANT  
HWY 243  
CARLSBAD, NM 88220

**This is our annual notice for hazardous generation and business fees applicable to all facilities classified as Small Quantity Generator (SQG), Large Quantity Generator (LQG), Treatment, Storage, or Disposal (TSD) including Closure and Post-Closure Care. The Fee regulations are promulgated pursuant to the provisions of the New Mexico Hazardous Waste Act, Chapter 74, Article 4, NMSA (as amended). Fees are due AUGUST 1 of EACH YEAR for wastes generated the previous calendar year.**

**If you have any questions or concerns please contact Cindy Abeyta at (505) 428-2505.**

<b>Calendar Year</b>	<u>2002</u>	
<b>Total amount generated</b>	<u>5500</u>	lbs/tons (circle one)
<b>How many lbs/tons were recycled?</b>	<u>0</u>	lbs/tons (circle one)
<b>Amount generated from spill cleanup</b>	<u>0</u>	lbs/tons (circle one)

<b>FEE SUMMARY: (from Annual Hazardous Waste Fee Report)</b>	
<b>Generation Fee Amount</b>	\$ <u>35.00</u>
<b>Business Fee Amount</b>	\$ <u>200.00</u>
<b>Late Fee Amount</b>	\$ <u>0.00</u>
<b>CAP Fee Paid</b>	\$ <u>0.00</u>
<b>TOTAL AMOUNT DUE</b>	\$ <u>235.00</u>

**Make Checks Payable to: NMED/HWB**

**Mail Checks to:** New Mexico Environment Dept/HWB  
ATTN: Cindy Abeyta  
P.O. Box 26110  
Santa Fe, NM 87505

**Complete and return this invoice with your Annual Hazardous Waste Fee Report and payment**

NEW MEXICO ENVIRONMENT DEPARTMENT  
HAZARDOUS WASTE BUREAU  
ANNUAL HAZARDOUS WASTE FEE REPORT  
Note: Complete and return this report with your invoice and payment



**SECTION I: FACILITY INFORMATION AND IDENTIFICATION**  
*Please review the facility information provided. Please make corrections as needed.*

Facility Name: MISSISSIPPI POTASH - NORTH PLANT

EPA ID Number: NMD007396658      NMED ID Number: 1672

Facility Address: HWY 243  
CARLSBAD      88220

County: ~~EDDY~~ Lea

Mailing Address: PO BOX 101  
CARLSBAD, NM 88220

Facility Contact: Bill Jaco

Title: Environmental Coordinator      Phone Number: 505-234-3881

Reporting Date: 7-24-03

*The New Mexico Hazardous Waste Generation Fee is comprised of two parts: a Business Fee and a Generation Fee. The Business Fee is determined by your generator status and the Generation Fee is determined by the amount of non-recycled hazardous waste, which is generated by the facility. It is important to note that your generator status is determined by adding the recycled and non-recycled hazardous waste generated by your facility each month.*

*Detailed regulations covering the annual hazardous waste fees are defined at 20.4.3 NMAC. If you have any questions concerning the annual hazardous waste fees, please contact the Hazardous Waste Bureau at (505) 428-2500.*

**SECTION II: ANNUAL GENERATION CALCULATIONS**

To calculate the annual waste generation amounts, use the schedule below. Enter the total pounds of hazardous waste generated per month and then subtract the pounds of recycled hazardous waste per month. The difference is the amount of non-recycled hazardous waste generated.

Calendar Year: 2002

Month	Total Hazardous Waste (lb)		Recycled (lb)	=	Non-Recycled (lb)
January	<u>0</u>	-	<u>0</u>	=	<u>0</u>
February	<u>0</u>	-	<u>0</u>	=	<u>0</u>
March	<u>0</u>	-	<u>0</u>	=	<u>0</u>
April	<u>0</u>	-	<u>0</u>	=	<u>0</u>
May	<u>2,110</u>	-	<u>0</u>	=	<u>2,110</u>
June	<u>1,690</u>	-	<u>0</u>	=	<u>1,690</u>
July	<u>1,700</u>	-	<u>0</u>	=	<u>1,700</u>
August	<u>0</u>	-	<u>0</u>	=	<u>0</u>
September	<u>0</u>	-	<u>0</u>	=	<u>0</u>
October	<u>0</u>	-	<u>0</u>	=	<u>0</u>
November	<u>0</u>	-	<u>0</u>	=	<u>0</u>
December	<u>0</u>	-	<u>0</u>	=	<u>0</u>
Annual Totals	<u>5,500</u>	-	<u>0</u>	=	<u>5,500</u>

**SECTION III: GENERATION STATUS DETERMINATION**

Determine your generator status using the largest amount of total hazardous waste generated during any one calendar month (from first column in Section II).

**GENERATOR STATUS:**

- \* If you generate 220 lbs (100 kg) or less of hazardous waste (recycled and non-recycled) in any one month, you are a Conditionally Exempt Small Quantity Generator (CESQG).
- \* If you generate more than 220 lbs (100 kg) but less than 2,206 lbs (1,000 kg) of hazardous waste (recycled and non-recycled) in any one month, you are a Small Quantity Generator (SQG).
- \* If you generate more than 2,205 lbs (1,000 kg) of hazardous waste (recycled and non-recycled) in any one month, you are a Large Quantity Generator (LQG).

**NOTE: IF YOU ARE A CESQG, YOU DO NOT OWE ANY FEES. PLEASE COMPLETE THE CERTIFICATION SECTION OF THIS FORM AND RETURN TO OUR OFFICE.**

**SECTION IV: BUSINESS FEES**

Based on the generator status determined from Section III, check the appropriate category for this facility and pay the appropriate Business Fee.

Conditional Exempt Small Quantity Generator	_____	no fees due
Small Quantity Generator	_____ <input checked="" type="checkbox"/>	\$ 200.00
Large Quantity Generator	_____	\$2,500.00

**SECTION V: ANNUAL GENERATION FEES**

1. **Conditionally Exempt Small Quantity Generators** do not owe any annual generator fees.
  
2. **Small Quantity Generators** shall pay the following fees based on the average monthly amount of non-recycled hazardous waste generated.

Annual total non-recycled hazardous waste from Section II divided by twelve equals monthly average

5,500 lb / 12 = 458 pounds per month

1 - 500 pounds/month	_____ <input checked="" type="checkbox"/>	\$ 35.00
501 - 1,000 pounds/month	_____	\$ 100.00
1,001 - 2,205 pounds/month	_____	\$ 250.00

If < 2,206 pounds/month, enter appropriate fee: \$ \_\_\_\_\_

3. **Large Quantity Generators** at a site shall pay the following fees for non-recycled hazardous waste generated for the reporting year, if both hazardous waste and hazardous wastewater were generated at the site, the generator must determine the amounts for each to calculate the fee. Use the following fee schedules for these calculations.

a. \$ 0.01 per pound of non-recycled hazardous waste generated at the site.  
 \_\_\_\_\_ pounds for the reporting year X \$ 0.01 = \$ \_\_\_\_\_

and

b. \$ 0.01 per ton of wastewater designated a hazardous waste solely because it exhibits a hazardous characteristic.  
 \_\_\_\_\_ tons for reporting year X \$ 0.01 = \$ \_\_\_\_\_

Total LQG annual fee (a + b) = \$ \_\_\_\_\_

**SECTION VI: PAST DUE FEES**

Fees owed for previous years are calculated the same as above and are then multiplied by 1%. The **sum** of the annual business fee (Section IV) and the generation fee (Section V) are **multiplied** by the number of months that the fee is past due:

$$\text{Business Fee} + \text{Generation} \times 1\% \times \text{Number of months past due} = \text{Late Fee}$$

$$\text{Example: } (\$200 + \$35) \times 0.01 \times 10 \text{ Months} = \$23.50$$

This late fee is added to the business fee, the generation fee, and the administration charge of \$100 to determine the total past due fee owed for that year:

$$\text{Business Fee} + \text{Generation} + \text{Late Fee} + \$100 = \text{Total Past Due Fee}$$

$$\text{Example: } \$200.00 + \$35.00 + \$23.50 + \$100.00 = \$358.50$$

If you are paying past due fees for multiple years, you pay the administration charge one time only. The fees for each year are due on August 1st of the following year.

Example: Fees for 2000 were due on August 1, 2001. Please calculate past due fees and enter them below:

1996 Fees	_____	\$ _____
1997 Fees	_____	\$ _____
1998 Fees	_____	\$ _____
1999 Fees	_____	\$ _____
2000 Fees	_____	\$ _____
2001 Fees	_____	\$ _____
2002 Fees	_____	\$ _____
Administrative Fee	_____	\$ <u>100.00</u>
 Total Past Due Fees Owed	_____	\$ <u>0.00</u>

**SECTION VII: CAP FEES**

CAP Fees: The aggregate amount of annual generation and business fees to be paid per person [as defined at 20.4.3.107(B)(12) NMAC] for any year based on this Part (20.4.3 NMAC) shall be limited to:

One facility	_____	\$35,000.00
Two facilities	_____	\$50,000.00
Three or more facilities	_____	\$65,000.00

If your facility generates non-recycled hazardous waste in amounts which will result in a total fee greater than the amounts given in the above table, you only pay the CAP Fee indicated. These CAP Fees does not apply to late fees.

**SECTION VIII: TOTAL FEES DUE**

Total Fees (Business Fees, Generation Fees)  
Owed for Current Calendar Year \$ 235.00

Total Past Due Fees Owed (if applicable) 0.00

TOTAL FEES \$ 235.00

**SECTION IX: CERTIFICATION**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents. I hereby certify that either based on my personal knowledge or my inquiry of those individuals immediately responsible for obtaining the information, the submitted information is true, accurate and complete. I hereby acknowledge that any person who knowingly omits information from or makes any false statement or representation in a fee report may be subject to criminal penalties under the Act.

William Jacob  
Name (printed or typed)

Environ. Coord.  
Title

William Jacob  
Signature

07-24-03  
Date

This report must be completed and returned to the address listed below. Make your cashiers check or money order for the full amount due payable to the NMED Hazardous Waste Fund and mail it to:

**NMED - Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Bldg. 1  
Santa Fe, New Mexico 87505**



July 24, 2003

Ms. Cindy Abeyta  
New Mexico Environment Department  
Hazardous Waste Bureau  
P.O. Box 26110  
Santa Fe, NM 87502

Re: Hazardous Waste Generator Fees for Mississippi Potash, Inc.  
North Plant, West Plant, East Plant, and Eddy Plant

Dear Ms. Abeyta,

Enclosed please find the Annual Hazardous Waste Fees Reports for the Mississippi Potash, Inc. North Plant, West Plant, East Plant, and Eddy Plant. A check for \$705.00 to cover the cost of the fees for the East, West and North plants is also enclosed. This is for calendar year 2002. The Eddy Plant is a Conditionally Exempt Small Quantity Generator (CESQG) and is not required to submit a fee. MPI did not receive an invoice for the East Plant or the Eddy Plant. I copied the invoice for the North Plant, and then changed the names on it to reflect the East and Eddy plants. If you have any questions, please call me at 505-234-3881.

Sincerely,

Bill Jaco, CHMM  
Environmental Coordinator