



Toxics Release Inventory Reporting Fee

This document is for guidance only; it does not take the place of the official rules and regulations.

What Is This Fee?

The Toxics Release Inventory (TRI) reporting fee is assessed on each facility that is required to report under the TRI. Fee revenues are used by the Texas Commission on Environmental Quality (TCEQ) to pay costs of the TRI program.

Common Terms in TRI Reporting

Here are brief explanations of terms that you may encounter in association with TRI reporting.

- Superfund Amendments and Reauthorization Act (SARA), Title III, Section 313, is the basic legislation that created the TRI program and required facilities to report to both EPA and state environmental authorities.
- Emergency Planning and Community Right to Know Act (EPCRA) is another name for SARA Title III.
- 40 Code of Federal Regulations (CFR) Part 372 contains rules implementing Section 313 of SARA Title III or EPCRA.
- Form R is the form used to report releases and disposal of listed chemicals under TRI.
- Senate Bill 1223, the Texas Toxic Chemical Release Reporting Act, passed by the 71st Texas Legislature in 1989, designated TCEQ as the recipient of TRI forms at the state level. This bill was later codified into Chapter 370 of the Texas Health and Safety Code (THSC). The bill also established a TRI filing fee.

How Is the Fee Assessed?

In accord with THSC Chapter 370, the TCEQ annually assesses a fee of \$25 for each TRI Form R submitted by a facility. The maximum fee for a facility may not exceed \$250.

What Is the Due Date of the Fees? Where Do I Send the Payment?

The due date is 30 days after the “invoice date” shown on your billing statement; your payment must reach the TCEQ in time to be credited to your account by the due date. Return your payment with the payment coupon (the top portion of the billing statement) to the mailing address shown on the back of the coupon. Use the envelope provided for your convenience. Be sure to turn the coupon over so that the TCEQ’s mailing address shows through the envelope’s window.

Tip—to Help You Avoid Late Fees. Send your payment in “good order” as described in the preceding paragraph, and mail it **7 to 10 working days before** the due date.

Will I Be Charged Late Fees?

If payment is not received in time to be credited to your account by the due date, the TCEQ will charge penalties and interest, as provided for in Chapter 12 of the agency rules. A penalty of 5 percent of the fee due will be assessed if the fee is not paid by the due date. If not paid within 30 days after the due date, an additional 5 percent penalty will be assessed. After the bill is 60 days overdue, the TCEQ will assess interest charges until the balance is paid.

Effective January 1, 2000, interest will be charged at the variable rate of prime plus 1 percent. The prime rate for the calendar year is the prime rate published in the *Wall Street Journal* on the first business day of the calendar year. Before January 1, 2000, interest was charged at 12 percent per year.

Limit on Retroactive Charges. Late charges will not be applied retroactively to outstanding fees assessed before March 1, 1997.

What If I Think the Billing Is Incorrect?

If you want to dispute the amount of your fee, you must do so in writing. The TCEQ may not adjust the amount due if your request for adjustment is **received** more than one year after the date on which the fee was paid in full. You can telephone TCEQ offices to clarify questions you may have about your fee amount. (For phone numbers, see the heading “Where Do I Send Correspondence or Get More Information?”)

In the correspondence, please provide your account name, account number, and the description of the suspected error.

Why Do I Have to Return the Coupon with My Payment?

The payment coupon (the top portion of your bill) contains an optical character reader (OCR) line. When we receive your payment, a computer reads your account number from the OCR line. Automated processing allows the agency to keep up with the large number of transactions handled. Without the coupon, your transaction cannot be handled by the faster, automated process. Processing “by hand” can be time-consuming (for example, see “I Have More Than One Account...”), and your account may not be credited in time to avoid late fees.

If I Have More Than One Account, May I Send One Check for the Total Amount?

You may send all your payments in one envelope, but please enclose a separate check for each coupon. If the number of checks does not equal the number of coupons, we won't know which accounts to credit your payment to. We will not be able to process your transactions by the faster, automated process; instead, we will have to contact you by phone to find out how the payment should be credited. Processing “by hand” can become time-consuming (for example, playing “telephone tag”), and your account may not be credited in time to avoid late fees.

What Do “FY” and “RY” Mean on My Statement?

“FY” stands for the TCEQ’s “fiscal year,” which runs from September 1 through August 31. By contrast, “RY” stands for “reporting year”—the TRI reporting period or calendar year, from January 1 through December 31.

Where Do I Send Correspondence or Get More Information?

For facility information, address changes, and reports:

Texas Commission on Environmental Quality
Air Quality Planning Division, MC-164
PO Box 13087
Austin, TX 78711-3087
512-239-4TRI

For account balance information, call:

Texas Commission on Environmental Quality
Financial Administration Division, Revenue Section
512-239-0355

For TCEQ rules, publication, and other information:

You can find the official version of TCEQ rules in the Texas Administrative Code on the Secretary of State's Web site <www.sos.state.tx.us>.

Other ways to obtain a copy of the rules include the following:

- on the Internet, go to the TCEQ's Web site at <www.tceq.state.tx.us> and click on the link to "Rules";
- fax orders to 512-239-4488, or order by voice at 512-239-0028, from the TCEQ's publications unit; or
- write to TCEQ Publications, MC 195, PO Box 13087, Austin, TX 78711-3087.