



# Waste Generation Fee

This document is for guidance only; it does not take the place of any laws or regulations.

## What Is This Fee?

This annual fee is charged on each generator of hazardous waste and/or industrial Class 1 waste. The Texas Commission on Environmental Quality (TCEQ) uses the fees collected to carry out its responsibilities for regulating hazardous and industrial waste in Texas. Authority for the fee comes from the Texas Health and Safety Code, Section 361.134; and from Title 30, Texas Administrative Code (TAC) Subchapter J, Section 335.323.

## How Is the Fee Assessed?

The fee total is based on the amount of hazardous and/or industrial Class 1 waste you reported as generated in the previous calendar year. The following table shows fee rates and maximum fees.

Waste Reported	Annual Fee
<b>HAZARDOUS WASTE</b> (Maximum fee \$50,000)	
1–50 tons	\$100
over 50 tons	\$2.00 per ton
<b>CLASS 1 INDUSTRIAL WASTE</b> (Maximum fee \$10,000)	
1–100 tons	\$50
over 100 tons	\$0.50 per ton

## 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 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.

## What Does “FY” Mean on My Statement?

“FY” stands for the TCEQ’s fiscal year, which runs from September 1 through August 31. However, the waste generation fee is based on waste your company generated in the prior full calendar year, January 1 through December 31. For example, the billing for “FY01” is based on waste generation reported for calendar year 1999.

## 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. Interest is 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.

**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?

**Disputing a Fee Amount.** Any disputes about the amount of your fee must be made in writing. If the dispute involves a reporting question, contact the Registration and Reporting Section of the Registration, Review, and Reporting Division. If the dispute involves a waste classification or technical question, contact the IHW Permits Section of the

Waste Permits Division. If the dispute involves the actual fee calculation, contact the Fee Coordinator in the Waste Permits Division. (For phone numbers and addresses, see “Where Do I Send Correspondence or Get More Information.”)

### ***Disputing a Fee-Exemption Denial or Claiming a Fee Exemption***

Claims for exemption from fees must be requested on the Annual Waste Summary (AWS). Your fee is based on the AWS information you submitted. If you feel that you are due an exemption you did not claim or that incorrect reporting resulted in an exemption denial, you must send the TCEQ a revised AWS. Clearly identify all new or corrected information (for example, by circling it). This revised AWS information and a request for review must reach the TCEQ before the due date of the invoice, or the claim cannot be considered.

### ***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 that 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 “If 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.

### ***Where Do I Send Correspondence or Get More Information?***

*For an invoice you think contains an error or for invoice address correction/changes*, write or call:

Texas Commission on Environmental Quality  
Office of Permitting, Remediation and Registration,  
Waste Permits Division  
Attn: IHW Fee Coordinator, MC-126

P.O. Box 13087  
Austin TX 78711-3087  
(512) 239-6855

*For reporting questions, facility information, and facility mailing address changes*, write or call:

Texas Commission on Environmental Quality  
Office of Permitting, Remediation and Registration,  
Registration, Review, and Reporting Division  
Registration and Reporting Section, MC-129  
P.O. Box 13087  
Austin, TX 78711-3087  
512/239-6832

*For recycling, waste classification, and waste and wastewater treatment issues*, write or call:

Texas Commission on Environmental Quality  
Office of Permitting, Remediation and Registration  
Waste Permits Division  
IHW Permits Sec., Technical Analysis Team, MC-130  
P.O. Box 13087  
Austin, TX 78711-3087  
512/239-6412

*For account balance information*, call:

Texas Commission on Environmental Quality  
Financial Administration Division, Revenues Section  
512/239-0366

*For TCEQ rules, publications, 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 at [www.sos.state.tx.us](http://www.sos.state.tx.us).

Other ways to obtain a copy of the rules, and of TCEQ publications, include the following:

- on the Internet, go to the TCEQ's Web site at [www.tceq.state.tx.us](http://www.tceq.state.tx.us) and click on the link to “Rules” or “Publications”;
- fax orders to (512) 239-4488, or order by voice at (512) 239-0028, the TCEQ's publications unit; or
- write to TCEQ Publications, MC 195, P.O. Box 13087, Austin, TX 78711-3087.

For information about industrial and hazardous waste, visit TCEQ's Web site (address given above) and look for a link to that topic or to related topics “Waste Management” or “Waste Evaluation.”