

TCEQ Fee Basis Form Instructions

Section 1: REGULATED ENTITY INFORMATION

The first section of the fee form lists the information that the program currently has on file for the regulated entity (Section 1A).

If changes need to be made to any of the information listed, please update the information in the designated area (Section 1B).

If a site was sold (ownership transfer), any changes to the regulated entity including new company contact information should be updated in Section 2 under the 'sold option'.

Section 2: DETERMINATION OF SITE STATUS

Check the box on the form that best describes the activity status of the site (referred to as an “account” on the form). Include the required information for the status chosen. Missing or incomplete documentation may result in increased processing time, inaccurate changes to the activity status or additional invoicing. It is very important that the status of the site is represented accurately. Please refer to the operational status explanations below.

Account will be operational/active for any portion of this FY- Check this box if the site will be active at any time during the reporting FY

Account will be idle for the entirety of this FY- Check this box if the site will not operate at any time during the reporting FY

Account has been sold- Check this box if an ownership transfer has occurred and new ownership will be in effect during the reporting FY.

New owner information is required to process the fee basis form. It is the previous owner’s responsibility to provide new owner information.

In order for the new owner information to be reflected on the invoice, the new company must submit a Core Data Form through the Central Registry to officially have the name changed in the TCEQ systems, https://www.tceq.texas.gov/permitting/central_registry/guidance.html

Information required: Date of sale, Company name, Mailing address, Contact person, Phone number, Email address, New RN# (if applicable). Provide a new RN# **only** if the Air Permit Division issued a new RN. Typically, when an ownership transfer occurs the RN# remains the same. However, sometimes the Air Permits Division issues a new RN#

Account has been permanently shut down- Check this box if the site will not operate in any county in Texas and the site was **not sold**.

Information required: Date of shut down and the air permit #s corresponding to the site.

- If the Air Permits Division has not cancelled or voided the air permit(s) for the site, the site cannot be shutdown with our program area.
- For permit status see, https://www.tceq.texas.gov/permitting/air/nav/air_status_permits.html
 - Please allow processing time before it is reflected in the database.
- Provide an explanation if the site needs to be shut down without the permits being cancelled/voided

Account has been merged- Check this box if the site was merged by the Air Permits Division and the merger will be in effect during the reporting FY

Information required: Date of merger, the RN numbers affected, and emissions, if applicable.

If the merger has not been approved by the Air Permits Division, then the site cannot be merged within our program area.

Check Central Registry to see if the merger has been processed <https://www15.tceq.texas.gov/crpub/>

Section 2: DETERMINATION OF SITE STATUS CONTINUED

Account does not qualify (DNO) for either inspection or emissions fees - Check this box if the site does not have an applicable SIC code/tier letter and the site is not operating under Title V conditions.

Information required: Air permit #s for the site

Verify that none of the site's SIC code(s) are applicable under 30 TAC §101.24(f) and that the site does not operate under Title V conditions as noted in 30 TAC §101.27(a).

Provide an explanation and any applicable supporting documentation to verify the DNO

Account is under construction and will not be operating during this FY - Check this box if the site obtained a permit but is under construction and will not be operating at any time during the FY or if the site is under permit review and will not operate at any time in the FY

Section 3: INSPECTION FEE BASIS INFORMATION

Compare the Standard Industrial Classification (SIC) code(s) the site is associated with to the table listed in 30 TAC §101.24(f) for permitted and non-permitted sites. If more than one SIC category can apply to a site, provide the SIC category that has the highest FY 2003 base inspection fee.

- To check the SIC codes associated with a Regulated Entity, please refer to the TCEQ Central Registry at: <https://www15.tceq.texas.gov/crpub/>
 - The site may have been applicable to more than one SIC code at the time of the permit application

If the SIC code has an applicable tier letter (i.e., A, B, or C), provide the tier letter that is applicable for the plant, site, and/or processes.

- Tier letters are assigned to assist in identifying the different levels of SIC categories.

For a complete listing of the SIC codes, tiers with associated process descriptions and current fee rate for the inspection fee, visit our fees web page: <http://www.tceq.texas.gov/airquality/point-source-ei/air-fees.html> and view the "Air Inspection Fee Rates" document

Provide the applicable SIC code/tier letter for the FY2024.

- If the site is not applicable to any SIC code/Tier letter, then enter NA, **do not leave blank**.
- The SIC code/tier letter listed under 'Previously reported SIC code/Tier Letter' reflects the SIC most recently self-reported to the air fees program.
- If a tier letter changes from the previous year to reflect operational changes, provide an explanation and applicable documentation.

Section 4: EMISSIONS FEE BASIS INFORMATION

The following information is required to determine if an owner or operator of an account (site) is subject to being assessed an emissions fee per 30 TAC §101.27(a).

Provide an answer to the question: **Is the site required to obtain/possess a Title V permit?**

If the site is not operating under Title V conditions regardless of permit authorizations during the reporting FY then the answer is 'No'.

- The site does not need to report emissions on the table and can then proceed to submit the fee form to airfees@tceq.texas.gov.

If the site is operating under Title V conditions regardless of permit authorizations during the reporting FY then the answer is 'Yes'.

If the answer is "Yes", review the definitions below and report the site-level annual emissions for each regulated pollutant or group of pollutants in the in the table below to establish the emissions fee basis.

- Allowable emissions rates:** Limits specified in an enforceable document such as a permit, certified registration of emissions, or Commission Order (hereafter referred to as enforceable emissions limits) that are in effect during the fiscal year that a fee is due. This is also referred to as the site's potential-to-emit emissions.
- Routine:** Calendar year (CY) 2022 emissions associated with planned activities, including routine operations, and authorized maintenance, startup, and shutdown activities.
- Scheduled Maintenance, Startup, and Shutdown (SMSS):** CY 2022 emissions from all SMSS that are not authorized by a permit as defined in 30 TAC §101.1(91).
- Emissions Events (EE):** CY 2022 emissions from all releases due to emissions events as defined in 30 TAC §101.1(28).

**Section 4: EMISSIONS FEE BASIS INFORMATION
CONTINUED**

When reporting a site’s emissions, select the option or options that best represents the emissions associated with the site during the CY 2022. Please note that the site will be invoiced for the *combined total* of all emissions reported, so avoid “double-reporting” emissions at the site.

Option 1: Permit Allowables	Option 2: Actual	Option 3: Actual
<p>If the site has enforceable emissions limits establishing allowable levels for regulated pollutants, and the site <u>did not submit an EI</u> to the TCEQ, then report the site’s allowable emission rates under the “Permit Allowables” section below.</p> <p>In addition, report any SMSS and EE emissions experienced at the site during CY 2022 in the table below under the “Actual” column</p> <p>Submit a copy of the Maximum Allowable Emissions Rate Table for all active permits and/or any authorized certified emissions limits for the site.</p>	<p>If the site submitted a complete and verifiable emissions inventory (EI) for the applicable CY 2022, then report the site’s routine, SMSS, and EE emissions during CY 2022 in the “Actual” section below.</p> <p>Note: If submitting an EI, emissions reported in the table below should be within 5 tons of the emissions reported on the EI. Any discrepancies between the EI and Fee emissions will need to be rectified prior to the submission of the fee basis form.</p>	<p>If the site <u>does not</u> have enforceable emissions limits establishing allowable levels for regulated pollutants and the site <u>was not required</u> to submit an EI, then the site’s routine, SMSS, and EE emissions emitted during CY 2022 must be used to calculate the fee basis and should be reported in the “Actual” section below.</p> <p>Submit actual production, throughput, or measurement records along with the complete documentation of the calculation methods.</p>

Example:

If 20 tons are reported as “Actuals” and 40 tons are reported as “Permit Allowables” then 60 tons will be assessed for the emissions fee.

	Permit Allowables	Actual Emissions		
Regulated Pollutants (Includes all regulated pollutants on site)	Allowable Emissions Rates (Tons per Year)	Routine (Tons per Year)	SMSS (Tons per Year)	EE (Tons per Year)
Volatile organic compounds (VOC)				
Carbon monoxide (CO)				
Nitrogen oxides (NO _x)				
Sulfur dioxide (SO ₂)				
Particulate matter (PM) total				
Other:				
Other:				
Other:				
Other:				

Under no circumstances may the emissions on the fee basis form be less than the actual emissions at the site.

Reporting both permit allowable and actual emissions will result in the site being assessed a fee for the **combined total**.

Report emissions that represent the site for the reporting year.

6) Return this form along with any supplemental documentation and/or emissions calculations to the following email address: airfees@tceq.texas.gov.

- a) Reference the account's RN and Air Account number in the email subject line.
- b) Indicate in the subject line if multiple accounts are included/attached in one email
- c) Do not group multiple fee basis forms into one document attachment.

****DO NOT REMIT YOUR FEE PAYMENT AT THIS TIME****

- Fee invoices will be mailed beginning in October
- See FAQs on our website for more information