



AIR EMISSIONS/ INSPECTION PROGRAM

FREQUENTLY ASKED QUESTIONS

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SECTION ONE: GENERAL QUESTIONS

1. What fees are assessed by the Air Fee Program?

The two air fees assessed are:

Inspection Fee - 30 Texas Administrative Code (TAC) Section (§) 101.24 and Emissions Fee - 30 TAC §101.27

2. Why does the TCEQ collect Emissions and Inspection Fees?

The authority to collect the Air Inspection Fee is granted under Texas Health and Safety Code §382.062 and is administered through 30 TAC §101.24. The fee is collected to cover the costs of the TCEQ air programs.

The authority to collect the Air Emissions Fee is granted under Texas Health and Safety Code §382.0621 and is administered through 30 TAC §101.27. The fee is collected to cover the direct and indirect costs of the Title V program.

3. Where can I find information about the Air Fees Program?

Fee information is available at our website:

<https://www.tceq.texas.gov/airquality/point-source-ei/air-fees.html>

4. What is a fee basis form?

The fee basis form is the method used to report information for both air fees on an annual basis.

Information reported on the fee basis form will be used to assess the fee and used for invoicing.

5. Why do I need to submit a fee basis form?

The TCEQ collects an annual fee for all facilities that have the potential to emit air pollution. Sites that meet the reporting criteria in either 30 TAC §101.24 or 30 TAC §101.27 are required by rule to submit the fee form.

6. What should be reported on the fee basis form?

Information such as the applicable Standard Industrial

Classification (SIC) code, applicable Title V emissions (potential-to-emit or actual emissions), and current regulated entity information.

7. When is the fee basis form due?

The fee basis form is due June 1.

For sites that begin operation after September 1, the owner or operator of the account must request an information packet within 30 days of commencing operation.

8. Where do I submit the fee basis form?

Once the fee basis form is completed, email the form to airfees@tceq.texas.gov. Please include the TCEQ Air Account number or facility RN number on the subject line of the email.

9. How is the fee assessed?

The TCEQ assesses the Air Emissions Fee on emissions (permit allowable emissions or actual emissions) and the Air Inspection Fee on the reported SIC code. If both fees apply to a site, only the higher of the two fees will be billed.

10. How do I complete the Air Emissions/Inspection Fees Basis form?

Provide updates to the regulated entity information if changes occurred.

For the air inspection fee, provide the applicable SIC code (and its associated tier letter) as listed on the inspection fee schedule on our webpage, <https://www.tceq.texas.gov/airquality/point-source-ei/air-fees.html>.

For the emissions fee, if the account is operating under Federal Operating Permit (also known as Title V) conditions, then allowable emissions or actual emissions must be reported.

For more details on completing a fee form, see the fee form instructions posted on our webpage, <https://www.tceq.texas.gov/airquality/point-source-ei/air-fees.html>

11. Is this an emissions inventory fee?

No, there is no fee associated with reporting an emissions inventory as required under 30 TAC §101.10.

If a site meets reporting requirements for the air emissions fee but does not want their permitted (allowable) emissions assessed for the fee, the company can submit a complete and verifiable EI.

SECTION TWO: REPORTING EMISSIONS ON THE FEE FORM

1. What if my site submitted an EI and has allowable emissions from its permit?

If a complete and verifiable EI has been submitted, then the emissions fee can be based on the actual emissions from the EI and not the allowable emissions from the permit.

Actual emissions for the basis calendar year, including any emissions from maintenance, startup, or shutdown activities and emissions events, if applicable, should be reported for each regulated pollutant.

A copy of the Total Emissions Summary page of the EI may be submitted along with the fee basis form.

2. What if my site did not submit an emissions inventory (EI) but has allowable emissions from its permit?

If an EI is not submitted, then the emissions fee is based on the site's allowable emissions. Report the site's emissions under the "Allowable Emissions Rates" column on the fees basis form. Also report any SMSS and EE emissions experienced at the site for the associated calendar year.

A copy of the MAER table and/or a copy of any authorized certified emissions should be submitted along with the fee basis form.

3. What if my site meets reporting requirements for the air emissions fee but does not want to use the permitted (allowable) emissions to assess the fee?

The site's actual emissions can be used to assess the emissions fee if the site submitted a complete and verifiable EI to the TCEQ for the appropriate calendar year.

4. What if my site does not have all individual emissions points covered under its permit?

For emissions points not covered under a permit, actual emissions (including routine, SMSS, and EE emissions) should be calculated for the applicable calendar year and reported in the "Actual Emissions" column.

If no enforceable emissions limits are established and if an EI was not submitted for these emissions points, a copy of the calculations for these emissions from the applicable calendar year should be submitted along with the fee basis form.

5. What if my site did not submit an EI and its permit does not establish allowable emissions?

Actual emissions (routine, SMSS, and EE emissions) from all individual emission points must be used to calculate the fee basis. Actual production, throughput, or measurement records must be submitted with the fee basis form along with complete documentation of calculation methods. The actual emissions for each air emissions source on site should be calculated for the applicable calendar year and must be reported for each regulated pollutant. Emissions from maintenance, startup, or shutdown activities and emissions events, if applicable, must also be reported for each regulated pollutant.

A copy of the calculations for the reported actual emissions for the applicable calendar year should be submitted along with the fee basis form.

SECTION THREE: REPORTING ACTIVITY STATUS

1. My site is no longer active. Can I report my site status as shutdown?

To report a site's status as shutdown, all site air permits must be voided, expired, or cancelled.

Contact the Air Permits Division at airperm@tceq.texas.gov or refer to the Central Registry website, <https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=home.welcome>, for more information on the permit status of a particular site.

2. What is the difference between idle and shutdown?

An idle site will not operate during the fiscal year but may operate in future fiscal years.

A shutdown site will never operate again. The site has been dismantled and will not be re-built to operate in Texas.

3. What if my site status changed mid-fiscal year and my fee basis form was already processed?

Submit a revised fee form indicating the change.

4. My site is permanently shutdown but my permit is still active.

The site will continue to receive an air fee basis form as long as the permit is active. If the site will not operate in future fiscal years, the permit(s) must be cancelled/voided in order to remove the site from the mailing list.

5. How do I void an air permit?

Contact the Air Permits Division at 512-239-1250 or airperm@tceq.texas.gov.

6. Do I have to submit a fee basis form if my site has been sold?

Yes, the previous owner must complete the fee basis form and provide the new owner's information to transfer responsibility.

7. What do I do if an ownership transfer occurred?

The previous owner must submit a fee basis form indicating

the site's status as sold and provide the contact information for the new owner.

The new owner must complete and submit a fee basis form for their site. To complete the ownership transfer, the new owner:

- should complete a Core Data Form, https://www.tceq.texas.gov/permitting/central_registry/guidance.html and submit the form to Central Registry at registry@tceq.texas.gov; and
- should contact Air Permits Division to make them aware of the ownership change since there may be permits/registrations that may need to be transferred.

SECTION FOUR: FEE RATE QUESTIONS

1. What are the current fee rates?

You can find the current fee rates at our website:

<https://www.tceq.texas.gov/airquality/point-source-ei/air-fees.html>.

2. How are the fee rates determined?

For the air inspection fee, see 30 TAC §101.24(f).

For the air emissions fee, see 30 TAC §101.27(f)(1).

For additional information, please email

airfees@tceq.texas.gov

SECTION FIVE: INVOICE QUESTIONS

1. When are the invoices mailed?

Initial invoices are mailed in late October. The invoices are due November 30.

Note: Supplemental billing (changes to the original invoice) occur every month.

2. When is my payment due?

Initial invoices are due November 30. Any supplemental

billing is due 30 days from the invoice date that is listed on the invoice.

3. Can I have an extension on paying my invoice?

Extensions are not granted. However, the Financial Administration Division may allow payment plans. Contact the financial department directly at 512-239-0369 or via email at AcctRec@tceq.texas.gov to inquire about payment plan arrangements.

4. Can the invoice be emailed to me?

Yes, contact the Financial Administration Division at AcctRec@tceq.texas.gov to receive a copy of your invoice.

5. Can I pay my invoice online?

Yes, you can use TCEQ's online service called e-Pay at <https://www3.tceq.texas.gov/epay/>

6. I received an invoice but do not know which site the invoice is referring to?

The TCEQ Air Account Number is listed under the 'Description' column of the invoice. A site search can be performed for the Air Account Number at the TCEQ Central Registry website, <https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=home.welcome>, using the 'Program ID Search' .

Additional information such as physical address, company name, site name, and regulated entity number are retrieved with the search.

7. I received an invoice and realized my site will not operate as initially intended, what should I do?

If a site operated at any time during a fiscal year, then the full fee is due for that fiscal year.

If your site did not operate at all during a fiscal year, submit a revised fees basis form for that fiscal year.

The TCEQ will process the revised fee form and make any adjustments required to the original invoice.

8. What is the physical address to send checks?

Please mail your check to:

Attn: Cashier's Office, MC214 (Do not send your checks to MC-170)

12100 Park 35 Circle

Building A, Mailroom

Austin, TX 78753