



TCEQ REGULATORY GUIDANCE

Financial Administration
RG-412, Revised
November 2005

General Permit Storm Water and General Permit Wastewater Fee

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

What Is This Fee?

The General Permit Storm Water (GPS) and General Permit Wastewater (GPW) fee provides funding for administration of water quality programs. The annual fee assessment authority is provided under Texas Water Code, 26.0291, and 30 Texas Administrative Code (TAC), Chapter 205.

How Is This Fee Assessed?

Fee assessments are determined by the general permit and permit by rule. Fees are assessed on the authorizations in effect on September 1.

TPDES Multi-Sector Storm Water Runoff (Industrial Notice of Intent)	\$100	GPS Fee
TPDES Construction Storm Water Runoff (Construction Notice of Intent)	\$100	GPS Fee
TPDES Concrete Production Facilities (Notice of Intent)	\$500	GPW Fee
TPDES Petroleum Bulk Stations and Terminals (Notice of Intent)	\$500	GPW Fee

TCEQ Livestock Manure Composting Operations (Notice of Intent)	\$100	GPW Fee
TCEQ Concentrated Animal Feeding Operations (Notice of Intent)	\$800	GPW Fee
TCEQ Hydrostatic Test Waters (Notice of Intent)	\$100	GPW Fee

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.

Texas Commission on Environmental Quality • PO Box 13087 • Austin, Texas • 78711-3087

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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 30 TAC 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.

What If We Can't Submit Payment by the Due Date? Will Late Fees Be Accrued?

Yes. The General Permit Storm Water and General Permit Wastewater fees are assessed annually. The authorization holder has the opportunity to plan for payment of these fees before billing.

In addition, TCEQ fees can now be paid online by credit card or ACH (electronic check) at www.tceq.state.tx.us/epay.

How can I transfer credit from one account to another?

You must provide written authorization to transfer the credit from one account to another. In your correspondence, please provide the account number with the credit and the Waste Water GPW or GPS account number. Send your letter to:

Texas Commission on Environmental
Quality
Financial Administration Division
Revenue Section MC 214
P.O. Box 13087
Austin, Texas 78711-3087

What If I Think I Should Not Have Been Billed or My Fee Is Incorrect?

TCEQ generates invoices for all authorizations in effect on September 1. The invoices are mailed using the last address the TCEQ has on record. The authorization holder at the time of billing is required to pay the fee.

If you want to dispute 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. (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, permit number, and the description of the suspected error. Send your letter to:

Texas Commission on Environmental
Quality
Wastewater Permitting Section
Storm Water & Pretreatment Team,
MC148
P.O. Box 13087
Austin, Texas 78711-3087
512/239-4433

Why Didn't I Receive a Fee Adjustment?

When a dispute does not result in an adjustment of the fee, it is usually due to one of the following reasons.

Change in Ownership or Operator.

When the owner and/or operator has changed and the current authorization holder did not submit a Notice of Termination to be effective before September 1, the current authorization holder on record with the TCEQ is still responsible for the fee. For a change in owner and/or operator, the current authorization holder must submit a Notice of Termination, and the new owner and/or

operator must file a Notice of Intent 10 days prior to the change.

Address Change. When the authorization holder did not receive the bill, or received it late, because of an outdated or incorrect address filed with the TCEQ, late fees are still due. The owner and/or operator must submit a Notice of Change.

Termination of Authorization. If an authorization holder did not request termination of the authorization to be effective before September 1, the fee for that year is still due. The owner and/or operator must submit a Notice of Termination.

You can often *avoid problems* like these by *promptly notifying the TCEQ* about important changes in your facility's status. To terminate an authorization or to make changes to an address, obtain the necessary form or instructions for providing notice from the contact listed under the section Where Do I Send Correspondence or Get More Information?

What If My Facility is Not In Operation, But We Want to Retain the Authorization? Will We Still Be Assessed Fees?

Yes. Fees will still be assessed based on the current authorization.

Are the General Permit Storm Water and General Permit Wastewater Fees Prorated?

No. General Permit Storm Water and General Permit Wastewater fees are assessed based on the authorization in effect on September 1. The permittee is required to pay the full amount, even though the authorization may be terminated after September 1. A Notice of Intent or Notice of Termination will not be processed until all annual fees are paid.

Will Payment of the Annual Fee Renew the Authorization?

No. The General Permit Storm Water and General Permit Wastewater fee that is assessed annually does not apply towards the Notice of Intent application fee. When a general permit is renewed, to continue authorization, a Notice of Intent may be required. If a Notice of Intent is required, an application fee must be submitted with the Notice of Intent. You can get a Notice of Intent form and check the requirements of the general permit from the Storm Water & Pretreatment Team Web page shown under the heading "Where Do I Send Correspondence or Get More Information."

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

