

## Frequently Asked Questions About Certified Emissions Statements

1. *May the designated environmental contact complete and sign the CES Invoice?*

The environmental contact may prepare the invoice, however they may sign it only if they are, by definition, a Responsible Official, or if they have been delegated signature authority by a Responsible Official. The definition of Responsible Official is found in 45CSR30. The person signing the CES invoice should review the information, as they are certifying the accuracy and completeness of the document. CES invoices that are signed by anyone other than a Responsible Official, or an individual with signature authority, will be deemed incomplete. A Title V Receipt cannot be issued until the invoice is completed correctly.

2. *The facility is subject to Title V, however, the source is not subject to any emission limits. Are we required to pay fees?*

Yes. All facilities are subject to the fee program and are required to pay annual fees.

3. *The facility is subject to Title V, but it is a deferred source. Are we required to pay fees?*

Yes. A CES invoice will be sent and must be completed reporting the prior calendar year's emissions. The amount due will be based on actual emissions from the prior calendar year or the 45CSR22 (Rule 22) fee, whichever is greater.

4. *The facility did not operate during the prior calendar year. Are we required to pay fees?*

Yes. If there are zero emissions to report for the prior calendar year, the source is subject to the 45CSR22 (Rule 22) minimum fee, based on the source's fee category.

5. *The facility is subject to Title V. Operations ceased in January, but we would like to retain the ability to reopen in the future. Are we required to pay fees?*

Yes. Annual fees must still be paid based on actual emissions from the prior calendar year or the 45CSR22 (Rule 22) fee, whichever is greater.

6. *What are Hazardous Air Pollutants (HAPs)?*

HAPs are air pollutants that can cause serious health and environmental hazards. They include chemicals that are known or suspected to cause cancer &/or other serious health effects. Please click on the link below to find the complete list of HAPs that must be reported on the HAPs worksheet.

<https://www.epa.gov/haps/initial-list-hazardous-air-pollutants-modifications>

7. *As a Title V deferred source, do I report all particulate matter on the HAPs worksheet?*

No. Report only the particulate matter that is considered a hazardous air pollutant on the HAPs worksheet. However, you must include all particulate matter (HAPs included) on line 1c of the CES invoice.

8. *Am I required to return the HAPs worksheet with the CES invoice and payment?*

Yes. Even if there are **zero** HAPs emissions to report, the HAPs worksheet must be returned, indicating as such.

9. *Are CES/Title V fees based on PM2.5, PM10, or total PM?*

Fees are based on total filterable and condensable particulate matter.

10. *If the facility emits over 4,000 tpy of NO<sub>x</sub>, am I required to report the actual amount?*

Yes. The fee is based on a maximum cap of 4,000 tpy per pollutant, however, the total amount must be reported on the CES invoice.

11. *What are Class I and Class II substances?*

Class I and Class II substances are ozone depleting substances. Please click on the link below for more information regarding these substances.

<https://www.epa.gov/ozone-layer-protection/ozone-depleting-substances>

12. *We purchased an operating facility in the past year and the seller transferred the current permit to us. Will our fees be based on emissions beginning from the time we took ownership?*

No. Fees are calculated from emissions for the entire calendar year, which may include emissions from operations of the previous owner.

13. *What happens if we report to the Division that we want to make the facility's permit(s) inactive, stop paying fees and permanently shut down, but soon after decide that we want to reopen and start operating again?*

It would be necessary for the source to obtain a new NSR construction permit. Once a source has been declared permanently shutdown and permits made inactive, the permits cannot be made active again. A new permit must be obtained.

14. *How long should a facility retain the actual emissions calculations and supporting data?*

Records should be maintained for a period of five (5) years. Additionally, these records shall be submitted to the Director or his representative upon request.

15. *I am unable to locate the CES invoices from prior years. Am I able to obtain copies from the Division?*

Copies of CES invoices, along with supporting data, should be maintained at the facility for a period of five (5) years. However, copies may be obtained from the Division by submitting a request to the following email address &/or mailing address:

[depfoia@wv.gov](mailto:depfoia@wv.gov)

**WV Dept. of Environmental Protection, Division of Air Quality**

**601 57<sup>th</sup> Street, SE**

**Charleston, WV 25304**

Further information and instructions regarding FOIA requests can be found by clicking on the link below.

<http://www.dep.wv.gov/howdoi/Pages/pio.aspx>