

## Frequently Asked Questions About Certified Emissions Statements

1. 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 Title V facilities are subject to the fee program and are required to pay annual fees. The annual fee will be calculated based on an equation using a base fee component (BF), a complexity fee component (CF) and a calculated emissions fee component (EF).  
Title V Fee = BF + CF + EF.*

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

*Yes. Title V deferred facilities are subject to the fee program and are required to pay annual fees. The base fee for Title V deferred facilities is \$0, but the complexity fee and emissions fee components must also be calculated.*

3. 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 must still report zero emissions through our State and Local Emissions Inventory System (SLEIS).*

4. 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.*

5. 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>

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

*Emissions fees are based on total filterable and condensable particulate matter.*

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

*Yes, the total amount of emissions for each pollutant must be reported in SLEIS. In addition, part of the revisions to 45CSR30 removed the 4,000 ton per pollutant cap on emissions used to calculate the emission fee.*

8. 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>

9. *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.*

10. 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 shut down and permits made inactive, the permits cannot be made active again. A new permit must be obtained.*

11. 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.*

12. 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>