

Title V Fees Explanation in Plain Language

All Title V fees are assessed on an annual period of 12 consecutive months, which can be either a calendar or fiscal year. Fee categories are established for fee payment based on allowable emissions, actual emissions, or a mixture of actual and allowable emissions. To change which fee category or Annual Accounting Period (AAP) a facility is assigned the facility must complete and submit a Title V Fee Choice Election form no later than December 31 of the year prior to the fee due date. Changing from one fee category to another fee category does not change the fact that the facility must pay an annual fee for twelve months of emissions each year.

Only facilities that pay fees on an actual or mixed emissions basis are required to complete and submit the Title V Fee Summary form with the Actual Emissions Analysis Required (AEAR) signed by the Responsible Official.

For facilities that pay fees based on allowable emissions, the fee assessment is made by APC based on the allowable emissions established in the Title V permit and other permits as determined appropriate (construction, PSD, etc.). The Title V fee is calculated each year based on twelve months of emissions. Whether the facility has an approved AAP of a calendar year (Jan 1 – Dec 31) or a fiscal year (Jul 1 – Jun 30) makes no difference in the calculation of the annual fee for these facilities. Also, a facility that pays fees on an allowable emissions basis does not need to complete or submit the Title V Fee Summary Form or the AEAR. The Division generates an invoice and cover letter and sends them to the facility each year. The invoice is to be submitted by the facility with the fee payment.

For facilities that pay fees on an actual or mixed emissions basis, the due dates for fee payment and submission of both the Title V Fee Summary form and the AEAR are different based on whether the facility has a calendar year AAP or a fiscal year AAP.

For facilities that pay fees on an actual or mixed emissions basis and a calendar year AAP the full fee (100% payment) is due on or before April 1 each year. For example, the fee for calendar year 2018 (Jan 1 – Dec 31, 2018) is due in full on April 1, 2019. The Title V Fee Summary Form and the AEAR are also due on or before April 1. There is a provision for requesting an extension of up to 90 days (until June 30) if needed, and the request is due on or before April 1. The request for an extension must include 65% of the estimated annual fee. The final payment (the unpaid portion) of the annual fee, the Title V Fee Summary form, and the AEAR are due on or before the end date of the approved extension.

For facilities that pay fees on an actual or mixed emissions basis and a fiscal year AAP an estimated 65% of the full annual fee is due on or before April 1 each year. April 1 is near the middle of the accounting period and corresponds to approximately 65% completion of the annual accounting period, so the facility should be able to make a good estimate of the fee that will be due. The final payment (unpaid portion) of the annual fee is due on or before July 1. There is a provision for requesting an extension of up to 90 days (until September 28), if needed, and the request for an extension, due on April 1, must include 65% of the estimated annual fee. If an extension is requested and approved then the final payment (full unpaid portion) of the annual fee, the Title V Fee Summary form, and the AEAR are due on or before the end date of the approved extension.

The State of Tennessee (and the Division) operates on a fiscal year for financial obligations and requirements. The April 1 due date for fees ensures that each year's fees are primarily collected in that fiscal year.