

## Frequently Asked Questions

- Q1:** Am I required to file one of the enclosed affidavits with the TCEQ?  
**A1:** No. Completing either affidavit is an option, not a requirement. You are not required to complete either affidavit if you do not want to request one of the special registrations described at the beginning of the letter.
- Q2:** If I file the **Participating** Non-Perchloroethylene User Affidavit (Affidavit “A”), will I get a reduction in my registration fees?  
**A2:** No. The facility will be subject to the normal registration fee of \$250 for a facility with \$100,000 or less in gross annual receipts or \$2,500 for a facility with more than \$100,000 in gross annual receipts. Only a nonparticipating facility is eligible for the \$250 registration fee regardless of the amount of gross annual receipts.
- Q3:** Can I file a **Nonparticipating** Non-Perchloroethylene User Affidavit (Affidavit “B”) for a facility that began operations after January 1, 2004?  
**A3:** No. The option to file a **Nonparticipating** Non-Perchloroethylene User Affidavit (Affidavit “B”) lasts only until December 31, 2003. No facility, whether existing or new, may file a **Nonparticipating** Non-Perchloroethylene User Affidavit (Affidavit “B”) with the TCEQ after that date.
- Q4:** Can I file a **Participating** Non-Perchloroethylene User Affidavit (Affidavit “A”) for a facility that began operations after January 1, 2004?  
**A4:** Yes. A **Participating** Non-Perchloroethylene User Affidavit (Affidavit “A”) may be filed with the TCEQ at any time; the option does not have an expiration date at this time.
- Q5:** Will TCEQ accept my affidavit if I don’t have it notarized?  
**A5:** No. TCEQ will consider your application incomplete if your affidavit is not notarized.
- Q6:** If I check “False” to any declaration in the eligibility section, will I still receive a special registration certificate?  
**A6:** No. To qualify for one of the special registration certificates you must be able to truly and correctly answer “True” to each of the declarations in the eligibility section.
- Q7:** Is there any penalty if my answers to the declarations are incorrect and/or untrue?  
**A7:** **Yes.** Any facilities that you own may become ineligible to receive any benefits from the Fund and you may be subject to administrative penalties, including but not limited to fines.
- Q8:** If I use perc in any manner at a facility, can I still file one of the affidavits?  
**A8:** **No. If you or anyone in your employ uses or has used perchloroethylene (“perc”) at any facility you own or owned in the state, in any amount or for any purpose, you are ineligible to receive one of the special registration certificates for any facility that you own.**
- Q9:** Are all nonparticipating facilities required to provide financial assurance to the TCEQ?  
**A9:** No. Only nonparticipating facilities which begin operations on or after September 1, 2003 but before January 1, 2004 are required to provide financial assurance. Read the instructions on the back of the **Nonparticipating** Non-Perchloroethylene User Affidavit (Affidavit “B”) for more information.