

To: Subcontractors for the Spallation Neutron Source (SNS) Project

Subject: Tennessee Sales & Use Tax Exemption for SNS Subcontractors

Tax Exemption Implementation: Any service, material, or item used exclusively in the building, machinery, equipment, supply, operation, or repair of the SNS facility is exempt from Tennessee Sales & Use Tax (Tenn. Code Ann. § 67-6-384). SNS subcontractors who make purchases that are tax exempt will need a Certificate of Exemption unless they already have a Tennessee Blanket Certificate for Resale. However, all subcontractors who make purchases that are tax exempt will need a Tennessee Sales and Use Tax account number with an SNS-specific location ID to be used exclusively for the SNS Project purchases. The process for obtaining a Certificate of Exemption and/or a sales and use tax account number is as follows:

Contractors with an existing TN Sales & Use Tax account number:

- Complete the “Application for Certificate of Exemption for Sales and Use Tax for the Spallation Neutron Source Project.” The only item that may be omitted is an e-mail address. The subcontractor will submit the completed form to the ORNL Tax Accountant, Autumn Worsham at worshama@ornl.gov.
- Register for an additional location ID via TNTAP to be used exclusively for SNS Project purchases. A return is not required to be filed for SNS purchases. Pre-existing SNS location IDs may be used for current contracts.

Contractors without an existing TN Sales & Use Tax account number:

- Complete and provide both the “Application for Certificate of Exemption for Sales and Use Tax for the Spallation Neutron Source Project” and the “Application for Registration” to the ORNL Tax Accountant. Subcontractors using the tax account number exclusively for the SNS Project will NOT be required to file a TN sales and use tax return.

The ORNL Tax Accountant will forward the completed application(s) to Taxpayer Services, Colleen Swinney. Ms. Swinney will send the Certificate of Exemption and exclusive SNS Project sales and use tax account number/location ID to the subcontractor. Separate tax certificates should be not obtained for each subcontract at SNS; however, realistic end dates should be included on the Application for Certificate of Exemption. It is the responsibility of the holder of the Certificate to return it to the State when it is no longer valid. It is also the responsibility of the holder of the Certificate to ensure it is used appropriately. All transactions and uses of the Certificate are subject to audit. It is in the best interest of a subcontractor to only have a Certificate if needed.

A subcontract clause has been included in terms and conditions issued to SNS subcontractors which includes the tax exemption statute, prohibits payment of taxes that are exempt and provides for liability in the event of improper payment or misuse of the exemption.

Subcontractors for the Spallation Neutron Source (SNS) Project
Page 2
March 7, 2023

If you have additional questions, the ORNL points-of-contact are:

ORNL Tax Accountant: Autumn Worsham

SNS Procurement: Markus Camfield

Phone 865-341-2013

Phone 865-241-6119

E-mail: worshama@ornl.gov

E-mail: camfieldma@ornl.gov

Tina Richards
Director, ORNL Contracts Division



STATE OF TENNESSEE
DEPARTMENT OF REVENUE

Exemption Authorization

February 19, 2019

MS-6431
UT-BATTELLE, LLC-SNS PROJECT
PO BOX 2008
OAK RIDGE TN 37831-2008

Letter ID: L0498318848

RE: Sales and Use Tax Direct Pay Permit

The above named taxpayer has been granted the authority in accordance with Tenn. Code Ann. § 67-6-102 and Tenn. Comp. R. & Regs. 1320-05-01-.68(4) to make purchases of tangible personal property and taxable services for use at the specified facility address without the payment of sales and use tax to the supplier at the time of purchase.

The direct pay permit holder must report and pay directly to the state of Tennessee any sales or use tax due on such purchases. This direct pay authority in no way alters or affects the determination of tax liability in this state of such purchases. **The direct pay permit holder must maintain records to document payment of sales and use taxes on all taxable purchases and make the records available to the Tennessee Department of Revenue.**

This direct pay permit may not be used to make purchases without the payment of sales and use tax for other locations and may not be transferred to or used by any other person.

The taxpayer must furnish its supplier(s) at the time of purchase with a **COPY** of the enclosed direct pay permit with the lower portion properly completed. A taxpayer that has been issued a Tennessee Direct Pay permit only needs to provide its supplier with a copy of the permit. A Tennessee resale certificate does not also need to be provided to the supplier. The original permit should be retained **for copy purposes**. The supplier must maintain a file copy as evidence of the tax exemption of the sales.

A handwritten signature in cursive script that reads 'David Gerregano'.

David Gerregano
Commissioner of Revenue



**STATE OF TENNESSEE
DEPARTMENT OF REVENUE**

MS-6431
UT-BATTELLE, LLC-SNS PROJECT
PO BOX 2008
OAK RIDGE TN 37831-2008

Effective Date: November 1, 2000
Account No: 1000458004-SLC
Exemption No: 103474635
Facility Address:
1 BETHEL VALLEY RD
OAK RIDGE TN 37830-8050

Sales and Use Tax Direct Pay Permit

The above named taxpayer has been granted the authority in accordance with Tenn. Code Ann. § 67-6-102 and Tenn. Comp. R. & Regs. 1320-05-01-.68(4) to make purchases of tangible personal property and taxable services for use at the specified facility address without the payment of sales and use tax to the supplier at the time of purchase.

The direct pay permit holder must report and pay directly to the state of Tennessee any sales or use tax due on such purchases. This direct pay permit may not be used to make purchases without the payment of sales and use tax for other locations and may not be transferred to or used by any other person.

Seller's Name

Seller's Address (City & State)

I, Tina Richards, as an authorized representative of the taxpayer named above, affirm that the purchases qualify for the exemption and will be used at the location of the facility address referenced above. Under penalty of perjury, I affirm this to be a true and correct statement.

Tina Richards, Director, Contracts

3.13.23

Print Name of Authorized Representative

Signature of Authorized Representative

Date

The supplier must maintain a copy of this document as evidence of the sales tax exemption.



TENNESSEE DEPARTMENT OF REVENUE

**Application for Certificate of Exemption for Sales and Use Tax for
the Spallation Neutron Source Project**

Public Chapter 540 exempts from the sales and use tax any spallation neutron source facility funded by the U.S. government or instrumentality thereof and not funded with any state funds and located at a national laboratory. The exemption covers any property that becomes a component part of, or that is used **exclusively** in operation or repair of, the facility as well as any services or materials furnished the facility and used **exclusively** in its operation. Also exempted are any property, services, building materials, machinery, equipment, supplies, repair parts, replacement materials or other items used **exclusively** in the construction, operation or repair of the facility.

In order to make qualified purchases exempt from sales and use tax, contractors must complete and file an application with the Department. If approved, the Department will issue a Certificate of Exemption in the name of the contractor. The contractor must issue a copy of the Certificate of Exemption to its vendors in order to make purchases exempt from sales and use tax.

Name: _____

Location Address _____

Mailing Address: _____

Telephone No: _____ **Fax No:** _____

Federal Identification No _____ **Tenn. Sales/Use AccountNo** _____

Date Contract begins: _____ **Contract Completion Date:** _____
Month/Day/Year Month/Day/Year

Describe the scope of your contract and the types of purchases you will be making for the Spallation Neutron Source Project (example: plumbing contract; purchases including plumbing fixtures, pipe,

The undersigned certifies that in the event any tangible personal property or taxable service which is obtained by virtue of a Certificate of Exemption for the Spallation Neutron Source Project is used in any manner that makes it subject to Tennessee sales and use tax, the purchaser will be liable for the applicable tax, penalty and interest.

Date

Signature

Print Name

Title

This Application should be mailed or faxed to the Department's Nashville Taxpayer Services office located at 500 Deaderick Street, Nashville, TN 37242. The telephone number is 615-253-5879. The fax number for this office is 615-532-2299.



TENNESSEE DEPARTMENT OF REVENUE
Application for Registration

RV-F1300501(10/20)

Answer all questions completely. Incomplete and unsigned applications will delay processing.

1. Legal Name of Applicant
2. DBA Name (If different from above)
3. Business Location Address (Physical address only; no P.O. Box) City State Zip Code
4. Mailing Address City State Zip Code
5. Legal Address (Physical address where business records are kept; no P.O. Box) City State Zip Code
6. Business Telephone Number Business Fax Number Business Email Address
7. Contact Name Contact Telephone Number Contact Email Address
8. Start Date in Tennessee 9. Fiscal Year End Date 10. FEIN or SSN

11. Type of Ownership

- Sole Proprietorship
Marital Joint Ownership
Estate/Trust
Government Entity
Real Estate Investment Trust
Partnership (choose type below)
General Partnership
Limited Partnership
Limited Liability Partnership
Limited Liability Company (choose type below)
Multi-Member LLC
Single Member LLC
Professional LLC
Corporation (choose type below)
Tennessee Domestic Corporation
Foreign Corporation
S Corporation

12. Tennessee Secretary of State Control Number Primary State of Charter/Registration

13. Taxes to Register for on this Application:

- Sales and Use Tax
Franchise and Excise
Business Classification
County
City
Out-of-State
Auto Rental Surcharge
Bail Bonds
Beer Barrelage*
Bottlers
Brand Registration
Coal Severance
Crude Oil/Natural Gas Severance
Fantasy Sports
Utilities - Gas, Water, Electric Power, and Light
Liquor by the Drink*
Litigation
Mineral Severance
Mixing Bar
Petroleum*
Tire Fee
Tobacco*
Used Oil Fee
Wholesale Beer*
Wholesale Alcoholic Beverage*
Wine Direct Shipper
Winery

Note: Electronic filing and payment of taxes is required for sales and use tax, franchise and excise tax, tobacco tax, liquor-by-the-drink tax, and business tax. Please visit www.tn.gov/revenue for more information.

*Requires Bond

14. Please complete this Section if Registering for Sales Tax

Will your gross sales exceed \$4,800 per year? Yes No

Will your taxable services exceed \$1,200 per year? Yes No

Note: If both of the above are "no," you do not need a sales tax number. You must make your resale purchases from Tennessee suppliers and pay the Tennessee sales tax to the suppliers at time of purchase.

15. Franchise and Excise Classification Information. (check the box below if applicable)

- | | |
|---|--|
| <input type="checkbox"/> Disregarded Entity | <input type="checkbox"/> Non-Depository Financial Institution |
| <input type="checkbox"/> Investment Company
(Tenn. Code Ann. § 56-4-301-309) | <input type="checkbox"/> Financial Institution |
| <input type="checkbox"/> Regulated Investment Company (IRC 851) | <input type="checkbox"/> Production Credit Association
(Tenn. Code Ann. § 56-4-401-406) |
| <input type="checkbox"/> Cemetery | |

16. Series LLC Entity Information (complete if applicable)

FEIN for Master LLC: _____

Entity Name for Master LLC: _____

Location Address for Master LLC: _____

Telephone Number for Master LLC: _____

State of Domestic Certificate of Authority for master LLC: _____

17. Nature of Business

- | | | | | |
|--|----------------------------------|--|--|--------------------------------|
| <input type="checkbox"/> Wholesale | <input type="checkbox"/> Retail | <input type="checkbox"/> Both Wholesale/Retail | <input type="checkbox"/> Contractor | <input type="checkbox"/> Other |
| <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Service | <input type="checkbox"/> Marketplace Facilitator | <input type="checkbox"/> Short-term Rental Marketplace | |

18. Business Activity	19. NAICS Code (if known)
-----------------------	---------------------------

20. Identify Owners, Officers, Members, or Partners (Attach additional names on separate sheet. See instructions.)

Legal Name	Legal Name
Title	Title
FEIN or SSN	FEIN or SSN
Address	Address
City State Zip Code	City State Zip Code
Telephone Number	Telephone Number
Email Address	Email Address

<p>21. The statements made on this application are true to the best of my knowledge and belief. This application must be signed by an owner, officer, member or partner of the entity listed above. Do not print or use a stamp.</p> <p>Signature: _____ Date: _____ <i>Owner, Officer, Member, or Partner</i></p>	<p>Department Use Only</p>
---	-----------------------------------

INSTRUCTIONS: Application for Registration

General Information

The Application for Registration is used to apply for tax registration for the major taxes applicable to businesses and administered by the Tennessee Department of Revenue. It also is used to register as a wine direct shipper. This application does not register taxpayers for all taxes, fees, or permits. Additional information may be required.

Realty transfer tax and mortgage tax are administered by the county clerk's office. Contact your local official in your area for registration information.

Registration for business tax using this application will not be complete until you have paid the business license fee and obtained your business license from the appropriate county clerk and, if applicable, city business tax official.

You must submit a fully completed the application in a timely manner to ensure that you are properly registered for all taxes administered by the Department of Revenue that are applicable to your business. For information on how to register a business online, you may visit the Department's website at www.tn.gov/revenue and click on E-file and Pay. Alternatively, this application can be mailed or delivered to any Taxpayer Services Division office.

You must complete one application for each business location that you own. Except for business tax, you will receive the appropriate certificate of registration, license, or permit for each location within a few days after the completion and return of this form. The certificate, license, or permit must be publicly displayed at the location for which it is issued. As previously stated, the business tax license must be obtained from the county clerk or city official.

It is important that you notify the Department if:

- The business ownership changes in any manner including:
 - o selling or closing of the business,
 - o adding or changing partners,
 - o any transfer or change in the ownership of the business,
 - o any change in corporate structure requiring a new charter or certificate of authority; or
- The business location changes.

Tax-exempt entities eligible for sales and use tax exemption under Tenn. Code Ann. § 67-6-322 wishing to register for a nonprofit sales and use tax exemption certificate should use the Application for Exempt Organizations or Institutions. This application can be found on the Department's website at www.tn.gov/revenue.

Instructions

- 1) Enter the legal name of the applicant.
- 2) Enter the DBA (doing business as) name of the applicant, if different from the legal name.
- 3) Enter the applicant's physical business location address. Do not enter a post office Box.
- 4) Enter the applicant's mailing address. This address can be a post office Box.
- 5) Enter the applicant's legal address. This should be the physical address where the business records are located. Do not enter a post office Box.
- 6) Enter the applicant's business telephone number, business fax number, and business email address.
- 7) Enter a contact person's name, telephone number, and email address.
- 8) Enter the applicant's business start date in Tennessee.
- 9) Enter the applicant's fiscal year end date.
- 10) Enter the applicant's Federal Employer Identification Number (FEIN) or Social Security Number (SSN).

- 11) Select the type of ownership.
 - a. If this is a partnership, choose the type of partnership.
 - b. If this is a limited liability company, choose all that apply.
 - c. If this is a corporation, choose all that apply.
- 12) Enter the applicant's Tennessee Secretary of State Control number, if applicable, and the primary state of charter or registration.
- 13) Select all taxes for which the applicant is registering. If registering for business tax, enter the business tax classification and the name of the county and city, if applicable, in which you are doing business.
- 14) If registering for sales and use tax, complete this section.
- 15) If registering for franchise and excise tax, check the box of any type that applies. Skip this section if none of the options are applicable.
- 16) If registering as a series LLC, provide the FEIN, entity name, location address, telephone number, and state of domestic certificate of authority for the master LLC.
- 17) Indicate the nature of the applicant's business.
- 18) Provide a detailed description of the principal business activity at this location, including the major products and/or services sold.
- 19) Enter the North American Industry Classification System (NAICS) code for the primary business activity, if known.
- 20) Identify all owners, officers, members, or partners of the business. Enter the social security number, address, telephone number, and email address for each one listed. If the owner is another business, enter the business FEIN. You may attach a separate sheet for additional owners, officers, members, and partners.
- 21) The application must be signed by an owner, officer, member, or partner of the organization. Do not print or use a signature stamp. Applications signed by an accountant, bookkeeper, or agent for the business and unsigned applications will be returned unprocessed.