



CONSTRUCTION PERMIT APPLICATION FEES FOR MINOR SOURCES FREQUENTLY ASKED QUESTIONS (FAQS)

These FAQs have been prepared by the Iowa Department of Natural Resources (DNR) to assist facilities in complying with fee requirements for state permit applications. This document is intended solely as guidance, cannot be used to bind the DNR and is not a substitute for reading applicable statutes, rules, and permits.

1) Are there fee requirements for construction permit applications submitted to the DNR?

Yes. The Iowa Environmental Protection Commission adopted rules and a fee schedule on December 15, 2015, establishing fees for minor source construction permit applications. The fees become effective on January 15, 2016.

2) How can I verify that my facility is a minor source?

A facility is a minor source if the DNR has identified the facility as a minor source in previously issued construction permits or if the application is for a permit template. Applicants who are uncertain of their source status may use the State and Local Emissions Inventory System (SLEIS) to check their source status. Find guidance on how to use SLEIS in the instructions section of DNR Form AF: Construction Permit Application Fee form (Form 542-1302) at www.iowadnr.gov/aqfees.

If the application is for a new facility or an existing facility without construction permits and the equipment is not covered by an exemption, the facility is considered a major source until review of the construction permit application is completed and a permit(s) is issued. DNR Form 542-1302 provides instructions regarding fees for major sources. If necessary, applicants can also contact the Construction Permitting Hotline (1-877-247-4692) to discuss source status. Facilities applying for a permit template, a registration permit or a permit by rule are considered minor sources.

3) What types of registration permits, permit by rule and permit templates are available?

Registration permits are available for Group 1 grain elevators. A permit by rule is available for paint spray booths. Permit templates are available for aggregate processing plants, asphalt plants, concrete batch plants, small and large gasoline bulk plants and Group 2 country grain elevators. Go to

www.iowadnr.gov/airconstructionpermits to find more information for each permit application type and whether you qualify to use them.

4) How much are the construction permit application fees and when do they become effective?

For minor source construction permit applications submitted to DNR on or after January 15, 2016, the fee is \$385 per permit application for each required permit. The fee is \$100 for each application for a registration permit, permit by rule, or permit template submitted on or after January 15, 2016. All fees for the air quality program are included in a Fee Schedule at www.iowadnr.gov/aqfees.

5) Since a fee is required per permit application for each required permit, how do I know how many permits are required so I can calculate the fee due?

The DNR issues a construction permit to each emission point that is not otherwise exempt. In some cases permits are also issued to sources of emissions that do not vent through an emission point (e.g. haul roads, storage piles, equipment leaks, etc.) The calculation of fees is based on the number of permits the facility is applying for.

Fee Example #1

An existing minor source wants to install four new emergency generators. Each generator will have its own emission point (stack). In this case the fee would be:

$$\$385 \times 4 \text{ (number of permits needed)} = \$1,540$$

Fee Example #2

An existing minor source wants to install four new emergency generators. Two emission points will be constructed with two generators venting through each emission point (stack).

$$\$385 \times 2 \text{ (number of permits needed)} = \$770$$

Fee Example #3

An existing minor source wants to install one new emergency generator that will have two separate emission points (stacks).

$$\$385 \times 2 \text{ (number of permits needed)} = \$770$$

6) How will fees be assessed for Collection of Air Permits (CAP) and Group of Identical Permits (GIP) construction permit applications?

Fees for CAP and GIP construction permit applications will be \$385 for each individual permit application included with each CAP or GIP permit application submittal. For example, an existing minor source wants to install five new emergency generators under a GIP.

$$\$385 \times 5 \text{ (number of permits covered under GIP)} = \$1,925$$

7) Do these fees apply if my facility is located in Linn or Polk counties?

For questions about facilities located in Polk or Linn County contact the local program offices for information on air permitting fees.

For facilities in Polk County, contact Jeremy Becker at jeremy.becker@polkcountyiowa.gov or 515-286-2263.

For facilities in Linn County, contact Shane Dodge at Shane.Dodge@linncounty.org or 319-892-6015.

8) Do fees apply when using an exemption?

The application fees do not apply to equipment that is excluded from the requirement to obtain an air construction permit when an applicable exemption is used. Find exemptions from construction permitting in 567 IAC 22.1(2). If an applicant submits a permit application for equipment eligible to be exempted, the application fees apply. By rule, equipment that is part of a PSD project is not considered to be exempt and is required to obtain a permit.

9) When do fees have to be paid?

Fees are due when each type of permit application is submitted to the DNR: a construction permit, a registration permit, permit by rule, or permit template. Processing of the four application types will not begin until DNR receives the applicable application fee. No additional construction permit application fees will be necessary unless equipment covered by any of the four permit types is modified in the future, which could trigger the requirement to modify the permit.

The applicant will be notified of any additional construction permit application fees that may be due

should the application review warrant submittal of additional permit applications to modify previously issued permits for existing equipment at the facility.

10) How do I submit the fee?

Submit fees for construction permit applications and permit templates with DNR Form AF: Construction Permit Application Fee form (Form 542-1302). For an application for a Group 1 grain elevator registration permit, submit the fee with a DNR Registration for Group 1 Grain Elevators form (Form 542-0952). Submit the fee for an application for a permit by rule with a DNR Notification Letter for Permit by Rule for Spray Booths (Form 542-4005).

Download the forms at www.iowadnr.gov/aqfees. Payment information is provided on the form.

11) Can fees be refunded if the permit application or applications for a registration permit, a permit by rule or a permit template is withdrawn?

If a construction permit application is withdrawn by the applicant before DNR's technical review begins, the application fee (minus \$100 to cover DNR administrative costs) may be refunded. Once technical review begins, DNR will not refund the application fee. Technical review begins when the permit application is assigned to a staff member for review. Applicants may track application receipt and the progress of the review using the Construction Permit Search page at www.iowadnr.gov/airpermitsearch. Contact the DNR at 515-725-9500 for additional information on how to request a refund.

Fees for applications for a registration permit, permit by rule, or permit template are nonrefundable.

12) What is the process for addressing over or under payments of fees?

For applications for a construction permit and a permit template, if the applicant finds an error in the amount of fees submitted, then the applicant should submit an updated DNR Form 542-1302, correcting the fee amount and including the correct fee payment if the fee was underpaid. Submit the updated form and correct fee as soon as possible after discovering the error.

If DNR finds an error in the amount of fees submitted, DNR will contact the applicant and provide instructions regarding how to resolve the error. If DNR determines a fee was overpaid or a duplicate fee was submitted, the DNR will refund the overpaid balance to the applicant.

For over or under payments associated with an application for a permit by rule or registration permit, contact the DNR 515-725-9500 for more information.

13) Is a fee required for administrative amendments to a construction permit, registration permit, permit by rule or permit template?

The following types of amendments do not require fees to correct: typographical errors; word processing errors; changes in the name, address or telephone number of any person identified in the permit, registration, permit by rule or template; or similar minor administrative changes at the source.

A fee and DNR form are also not required with requests for changes in ownership or operational control of a source if no permit modification is requested and where DNR determines that no other change in the permit is necessary. However, the source must submit a written agreement to DNR containing a specific date for transfer of permit responsibility, coverage and liability between the current permittee and the new permittee. If the facility wants to have a permit modified to show the change in ownership, the standard fee of \$385 per permit or \$100 per permit template, registration permit or permit by rule applies.

14) What is a portable plant and are portable plants subject to the fee requirements?

Portable plants, such as asphalt plants, aggregate processing plants, or concrete batch plants, are facilities that can be deployed to different locations to operate for various periods of time. Portable plants do not operate while in route to a new location. Once a portable plant begins operation, it is considered a stationary source for fee purposes.

New or modified portable plants are required to submit a construction permit application or a template permit application with the applicable fee. A new application and applicable fee are not required when a portable plant is relocated unless a permit needs to be modified to relocate the plant.

15) Is a fee required for updates to equipment lists under portable or stationary facilities covered by a permit template?

No. Updates to equipment lists for facilities already covered by a permit template that allows updates to be made without the permit being reissued are not subject to fees.

16) How can my facility provide recommendations to the DNR regarding fees?

The minor source construction permit application fee advisory group (www.iowadnr.gov/minorcpfees) will meet annually to review the draft budget and minor source application fees. Participants may provide recommendations regarding fees necessary to cover all direct and indirect costs to administer the minor source construction permitting program. The meeting will be held prior to the March Commission meeting each year and will be posted on the DNR website 14 days prior to the meeting.

17) What will the fees be next year?

Any changes in the fees will be made by the Environmental Protection Commission and posted on www.iowadnr.gov/aqfees. New or adjusted fees will become effective on July 1. Fees not adjusted will remain in effect as previously established.

18) Is there a fee to rescind a permit?

No.

19) Who do I contact for assistance?

For questions contact the Construction Permitting Hotline at 1-877-247-4692.

June 9, 2016