

(DRAFT) Construction Permit Application Fees for Major Sources

Frequently Asked Questions (FAQs)

These FAQs have been prepared by the Iowa Department of Natural Resources (DNR) to assist facilities in complying with state fee requirements for 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 and rules.

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 major source construction permit applications. The fees become effective on **January 15, 2016**.

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

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 the facility is considered a major source until review of the construction permit application is completed. If necessary, applicants can also contact the DNR AQB Hotline (1-877-247-4692) to discuss source status.

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

For major source construction permit applications (including Prevention of Significant Deterioration (PSD) permit applications) submitted on or after **January 15, 2016**, applicants will be billed at a rate of \$115 per hour for review and processing of the application. This rate also applies to review of each plant-wide applicability limit (PAL) request, renewal, or reopening, and review of each regulatory applicability determination. If air quality modeling is triggered as part of the construction permit application review process, applicants will also be billed at a rate of \$90 per hour for costs related to reviewing or conducting the modeling. All fees for the air quality program are included in a Fee Schedule at www.iowadnr.gov/aqfees.

4) 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.

5) 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 even if DNR finds that the equipment under the application is exempt from a construction permit. By rule, equipment that is part of a PSD project is not considered to be exempt and is required to obtain a permit.

Note: A request for DNR to determine whether equipment can use a specific exemption is considered a regulatory applicability determination. Requirements for requesting a regulatory determination are in 567 IAC 22.1(3). Each review request will be billed at the rate of \$115 per hour.

6) When do fees have to be paid?

Applicants will be billed (invoiced) on a (INSERT frequency) basis for construction permit application review activities, and activities related to review of plant wide applicability limits or regulatory applicability determinations, until the project is completed. The invoice will state when the fees have to be paid.

7) How do I submit the fees?

During review, invoices will be provided to the applicant for the processing charges associated with construction permit application review activities, and activities related to review of plant wide applicability limits or regulatory applicability determinations. DNR will send invoices to the person listed as the billing contact on DNR Form AF: Construction Permit Application Fee form (Form 542-1302) submitted in the construction permit application. The invoices will include a payment voucher that can be returned with the payment to the DNR. Payment information will be provided on the invoice.

8) Are fees charged for administrative amendments to a construction permit?

The following types of amendments do not require fees or DNR forms to correct: typographical errors; word processing errors; changes in the name, address or telephone number of any person identified in a 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 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.

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

Fees will be assessed in the same manner for CAP and GIP construction permit applications as for non-CAP and non-GIPP construction permit applications.

10) Who do I contact for assistance?

For questions or assistance with construction permit applications, templates, registrations, or permits by rule, contact the DNR AQB Hotline at 1-877-247-4692.