

Construction Permit Application Fees for Prepared Feeds Manufacturing

Frequently Asked Questions (FAQs)

These FAQs have been prepared by the Iowa Department of Natural Resources (DNR) to assist facilities in complying with state permit application fee requirements affecting prepared feed manufacturing. 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 construction permit application fees that apply to prepared feeds manufacturing facilities (sometimes referred to as “feed mills”)?

Yes. The Iowa Environmental Protection Commission (Commission) adopted rules and a fee schedule on December 15, 2015, that established fees for construction permit applications. The fees became effective on January 15, 2016. These fees apply to feed mills.

2) How much is the construction permit application fee?

All fees for the air quality program are included in a Fee Schedule approved by the Commission and is located at www.iowadnr.gov/aqfees . For minor source construction permit applications submitted to the DNR on or after January 15, 2016, the fee is \$385 for each permit that is required. Facilities located in Polk or Linn County should contact the local program offices for information on air permitting fees (contact information is at the end of this document).

3) When does the fee have to be paid?

The fee is due when a construction permit application is submitted to the DNR. Processing of a permit application will not commence until the application fee has been submitted. No additional fees will be necessary in the future unless the equipment covered by the construction permit is modified, possibly triggering the requirement for a modification of the construction 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.

4) How do I submit the fee?

Fees are submitted with a Form AF: Construction Permit Application Fee form (DNR Form 542-1302). This form can be downloaded from www.iowadnr.gov/airconstructionpermits. Fees can be paid by check, money order, cash, or credit card. Payment remittance information is provided on the form.

5) Can the fee be refunded if the permit application is withdrawn?

The application fee (minus \$100 to cover DNR administrative costs) may be refunded for applications that are withdrawn by the applicant before commencement of technical review. Once technical review has commenced, the application fee will not be refunded. 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.

6) Can a feed mill use the small unit exemption (SUE) and do fees apply to emission points covered by the SUE?

The SUE can no longer be used for equipment at feed mills that is subject to requirements under the 7D NESHAP (40 CFR 63 Subpart DDDDDDD), and the facility must obtain permits for the affected equipment. For assistance with the 7D NESHAP and associated permitting requirements, go to the DNR's website at www.iowadnr.gov/neshap (click on Prepared Feeds).

Feed mills with equipment covered under the SUE that is **not** subject to the 7D NESHAP may continue to use the SUE for that equipment. The construction permit application fees do not apply to equipment covered by any exemption from the requirement to obtain an air construction permit, including the SUE. The exemptions from construction permitting are listed in 567 Iowa Administrative Code (IAC) 22.1(2). If an applicant submits a permit application for equipment eligible to be exempted, the application fees apply.

7) Is there a deadline for submitting permit applications for equipment subject to the 7D NESHAP?

The DNR and the Iowa Air Emissions Assistance Program (IAEAP) have been working with feed mills to identify permit requirements for those facilities subject to the 7D NESHAP. For facilities that don't have the required permits, the DNR is providing an opportunity to come into compliance without DNR enforcement actions or penalties. The DNR is requiring that all existing feed mills that have equipment subject to the 7D NESHAP have all required permit applications and the applicable fees submitted to the DNR by **July 1, 2016**. During this amnesty period, the DNR will not take enforcement action or assess a penalty at facilities that failed to obtain a construction permit or permit modification for equipment in accordance with 567 IAC 22.1(1). Violations of the 7D NESHAP are not covered by this amnesty.

8) Who do I contact for assistance?

For questions or assistance with construction permit applications or fees for feed mills, contact Michael Hermsen (email: Michael.Hermsen@dnr.iowa.gov; phone: 515-725-9577) or John Curtin (email: John.Curtin@dnr.iowa.gov; phone: 515-725-9522).

For questions or assistance with the 7D NESHAP or the compliance deadlines applicable to permit requirements or the 7D NESHAP, contact Casey Laskowski (email: Casey.Laskowski@dnr.iowa.gov; phone: 515-725-9514), or contact the DNR's free technical assistance provider for small businesses at the University of Northern Iowa (phone: 800-422-3109).

For questions about facilities located in Polk County, contact Jeremy Becker (email: jeremy.becker@polkcountyiowa.gov; phone: 515-286-2263).

For questions about facilities located in Linn County, contact Shane Dodge (email: Shane.Dodge@linncounty.org; phone: 319-892-6015).