

**ENVIRONMENTAL PROTECTION COMMISSION[567]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 455B.173(11), the Environmental Protection Commission (Commission) hereby gives Notice of Intended Action to amend Chapter 64, “Wastewater Construction and Operation Permits,” Iowa Administrative Code.

The Commission is proposing to reissue the existing National Pollutant Discharge Elimination System (NPDES) General Permit known as General Permit No. 5 (GP5), which authorizes wastewater discharges from mines and quarries to waters of the United States throughout Iowa. GP5 became effective on July 20, 2011, and expires on July 19, 2016. The Commission is proposing minor revisions to the permit including updating and correcting references to the Iowa Administrative Code, clarifying terms and adding definitions, updating procedures for submitting a notice of intent for coverage, and easing sulfate sampling requirements.

The Department of Natural Resources (Department) must either reissue GP5 or issue individual NPDES permits for each mine or quarry discharge. Compared to general permits, individual NPDES permits have more complicated application requirements, have higher fees, and take longer to issue. Permittees will benefit from the Department’s reissuance of GP5 compared to having to apply for an individual NPDES permit.

Any interested person may file written suggestions or comments on the proposed amendment on or before April 14, 2016. Written comments or questions regarding the proposed action should be directed to Julie Faas, Iowa Department of Natural Resources, 502 East 9th Street, Des Moines, Iowa 50319-0034; via fax at (515)725-8202; or via e-mail at [julie.faas@dnr.iowa.gov](mailto:julie.faas@dnr.iowa.gov).

A public hearing where persons may present their views orally or in writing will be held on April 7, 2016, at 11 a.m. in the Fourth Floor Conference Rooms of the Wallace State Office Building, 502 East 9th Street, Des Moines, Iowa. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend the public hearing and have special requirements, such as hearing or mobility impairments, should contact the Department to advise of special needs.

After analysis and review of this rule making, it has been determined that there will be no impact on private sector jobs and employment opportunities in Iowa. There are no proposed changes to GP5 that will cause an impact on jobs. The complete jobs impact statement is available from the Department upon request.

This amendment is intended to implement Iowa Code section 455B.173(11).

The following amendment is proposed.

Amend subrule 64.15(5) as follows:

**64.15(5)** “Discharge from Mining and Processing Facilities,” NPDES General Permit No. 5, effective ~~July 20, 2011~~ July 20, 2016, to July 19, 2021.