

**455B.197 National pollutant discharge elimination system permits.**

The department may issue a permit related to the administration of the national pollutant discharge elimination system (NPDES) permit program pursuant to the federal Water Pollution Control Act, 33 U.S.C. ch. 26, as amended, and 40 C.F.R. pt. 124 including but not limited to storm water discharge permits issued pursuant to section 455B.103A. The department may provide for the receipt of applications and the issuance of permits as provided by rules adopted by the department which are consistent with this section. The department shall assess and collect fees for the processing of applications and the issuance of permits as provided in this section. The department shall deposit the fees into the national pollutant discharge elimination system permit fund created in section 455B.196. The fees shall be established as follows:

1. For a permit for the discharge from mining and processing facilities, NPDES general permit no. 5, the following fee schedule shall apply:
  - a. An annual permit, one hundred twenty-five dollars each year.
  - b. For a multiyear permit, all of the following shall apply:
    - (1) A three-year permit, three hundred dollars.
    - (2) A four-year permit, four hundred dollars.
    - (3) A five-year permit, five hundred dollars.
2. For coverage under NPDES individual permits for storm water, for a construction permit, an application fee of one hundred dollars.
3. For coverage under NPDES individual permits for non-storm water, the following annual fees apply:
  - a. For a major municipal facility, one thousand two hundred seventy-five dollars.
  - b. For a minor municipal facility, two hundred ten dollars. For a city with a population of two hundred fifty or less, the maximum fee shall be two hundred ten dollars regardless of how many NPDES individual permits for non-storm water the city holds.
  - c. For a semipublic facility, three hundred forty dollars.
  - d. For a facility that holds an operation permit, with no wastewater discharge into surface waters, one hundred seventy dollars.
  - e. For a municipal water treatment facility, a fee shall not be charged.
  - f. For a major industrial facility, three thousand four hundred dollars.
  - g. For a minor industrial facility, three hundred dollars.
  - h. For an open feedlot operation as provided in chapter 459A, an annual fee of three hundred forty dollars.
  - i. For a new facility that has not been issued a current non-storm water NPDES permit, a prorated amount which shall be calculated by taking the annual fee amount multiplied by the number of months remaining before the next annual fee due date divided by twelve.
  - j. For a facility covered under an existing non-storm water NPDES permit, a prorated amount which shall be calculated by taking the annual fee amount multiplied by the number of months remaining before the next annual fee due date divided by twelve.
  - k. For a non-storm water permit as provided in this subsection, a single application fee of eighty-five dollars.
4. A single family home shall not be charged a fee under this section.
5. The owner of an on-farm processing operation that produces less than one thousand five hundred gallons per day of wastewater shall not be assessed a fee by the department under this section.

2006 Acts, ch 1178, §25; 2007 Acts, ch 22, §79; 2007 Acts, ch 53, §1, 2; 2011 Acts, ch 31, §3  
 Referred to in §455B.103A, 455B.105, 455B.172A, 455B.196