

567—64.16(455B) Fees.

64.16(1) A person who applies for an individual permit to operate a disposal system shall submit along with the application an application fee as specified in 64.16(3)“b.” Certain individual facilities shall also be required to submit annual fees as specified in 64.16(3)“b.” For a wastewater construction permit, an application fee must be submitted with the application as specified in 64.16(3)“c.” For authorization under General Permits Nos. 1, 2, 3 and 5, the applicant has the option of paying an annual permit fee or a multiyear permit fee at the time the NOI for coverage is submitted as specified in 64.16(3)“a.”

For municipal separate storm sewer system (MS4s) permits and individual storm water permits, as defined in 567—60.2(455B), a one-time, multiyear permit fee must be submitted at the time of application. For all other individual non-storm water NPDES and operation permits, as defined in 567—60.2(455B), the applicant must submit an application fee at the time of application and the appropriate annual fee on a yearly basis, except for municipal water treatment facilities. If a facility needs coverage under more than one NPDES or operation permit, fees for each permit must be submitted appropriately.

Fees are nontransferable. Failure to submit the appropriate fee at the time of application renders the application incomplete, and the department shall suspend processing of the application until the fee is received. Failure to submit the appropriate annual fee may result in revocation or suspension of the permit as noted in 64.3(11).

64.16(2) Payment of fees. Fees shall be paid by check, credit card, electronic payment, or money order made payable to the “Iowa Department of Natural Resources.”

For facilities needing coverage under more than one permit (e.g., general, individual storm water, individual non-storm water), separate payments shall be made according to the fee schedule in 64.16(3).

64.16(3) Fee schedule. The following fees have been adopted:

a. General permit fees. No fees shall be assessed for coverage under general permits not listed in this paragraph. The following fees are applicable to the described general permits:

- (1) Storm Water Discharges Associated with Industrial Activity, NPDES General Permit No. 1.

Annual Permit Fee	\$175(per year)
or	
Five-year Permit Fee.	\$700
Four-year Permit Fee	\$525
Three-year Permit Fee	\$350

All fees are to be submitted with the NOI for coverage under the general permit.

- (2) Storm Water Discharge Associated with Industrial Activity for Construction Activities, NPDES General Permit No. 2. The fees are the same as those specified for General Permit No. 1 in subparagraph (1) of this paragraph.

- (3) Storm Water Discharge Associated with Industrial Activity from Asphalt Plants, Concrete Batch Plants, and Rock Crushing Plants, NPDES General Permit No. 3. The fees are the same as those specified for General Permit No. 1 in subparagraph (1) of this paragraph.

- (4) Discharge from Mining and Processing Facilities, NPDES General Permit No. 5.

Annual Permit Fee	\$125 (per year)
or	
Five-year Permit Fee.	\$500
Four-year Permit Fee	\$400
Three-year Permit Fee	\$300

New facilities seeking General Permit No. 5 coverage shall submit fees with the NOI for coverage. Maximum coverage is for five years. Coverage may also be obtained for four years, three years, or one year, as shown in the fee schedule above. Existing facilities shall submit annual fees by August 30 of every year, unless a multiyear fee payment was received in an earlier year. In the event a facility is no longer eligible to be covered under General Permit No. 5, the remainder of the fees previously paid by the facility shall be applied toward its individual permit fees.

b. Individual NPDES and operation permit fees. The following fees are applicable for the described individual permits:

(1) For individual storm water permits, a five-year permit fee of \$1,250 must accompany the application.

(2) For permits that authorize the discharge of only storm water from municipal separate storm sewer systems (MS4s) and any allowable non-storm water, a five-year permit fee of \$1,250 must accompany the application.

(3) For individual non-storm water NPDES and operation permits, a single application fee of \$85 as established in Iowa Code section 455B.197 is due at the time of application. The \$1,250 fee in subparagraphs (1) and (2) is not required for individual non-storm water permits that authorize storm water discharges along with other wastewater discharges. The \$85 application fee is to be submitted with the application forms (as required by 567—Chapter 60) at the time of a new application, renewal application, or amendment application. Before an approved amendment request submitted by a facility holding a non-storm water NPDES or operation permit can be processed by the department, the \$85 fee must be submitted, except when an amendment is initiated by the director, when the requested amendment will correct an error in the permit, when the amendment is for a disadvantaged community compliance schedule or nutrient reduction strategy, or when there is a transfer of title or change in the address of the owner as noted in 567—64.14(455B).

(4) For individual non-storm water NPDES and operation permits, the following annual fees, as established in Iowa Code section 455B.197, are due by August 30 of each year:

1. Major municipal facility: \$1,275.
2. Minor municipal facility: \$210. For a city with a population of 250 or less, the maximum fee shall be \$210 regardless of how many individual non-storm water NPDES permits the city holds.
3. Semipublic facility: \$340.
4. Major industrial facility: \$3,400.
5. Minor industrial facility: \$300.
6. Facilities that hold an operation permit: \$170.
7. Animal feeding operations covered by a non-storm water NPDES permit: \$340.

(5) For a municipal water treatment facility with an individual non-storm water NPDES permit, no fees shall be assessed.

(6) For a new facility covered by an individual non-storm water NPDES or operating permit, a prorated annual fee, calculated by taking the annual fee amount multiplied by the number of months remaining before the next annual fee due date divided by 12, is due 30 days after the new permit is issued.

c. Wastewater construction permit fees. A single construction permit fee as established in Iowa Code section 455B.197 is due at the time of construction permit application submission.

64.16(4) Fee refunds for storm water general permit coverage—pilot project. Rescinded IAB 10/16/02, effective 11/20/02.

64.16(5) Fee refunds.

a. Individual and general permit application, permit, and annual fees may be refunded, completely or in part, at the discretion of the director. Permittees who wish to receive fee refunds should notify the department in writing. Fees may be refunded under various circumstances, including, but not limited to:

(1) A duplicate fee was submitted (for example, two annual fees for the same permit are paid in the same fiscal year).

(2) A fee was overpaid.

(3) A fee was submitted but is not required as part of the permit application or renewal (for example, an individual annual permit fee was submitted for a discontinued permit, a general permit NOI fee was submitted for an individual permit, or an amendment fee was submitted for a permit that cannot be amended).

(4) An application is returned to the applicant by the department without decision.

b. Fees shall not be refunded under any of the following conditions:

(1) If the permit or permit coverage is suspended, revoked, or modified, or if the activity is discontinued or ceased.

- (2) If a permit is amended.
- (3) If a permit application is withdrawn by the applicant or denied by the department pursuant to 64.5(1).

[Editorial change: IAC Supplement 2/11/09; **ARC 7625B**, IAB 3/11/09, effective 4/15/09; **ARC 8520B**, IAB 2/10/10, effective 3/17/10; **ARC 9365B**, IAB 2/9/11, effective 3/30/11; **ARC 9553B**, IAB 6/15/11, effective 7/20/11; **ARC 2482C**, IAB 4/13/16, effective 5/18/16; **ARC 3786C**, IAB 5/9/18, effective 7/1/18; **ARC 6191C**, IAB 2/9/22, effective 3/16/22]