

**567—60.4 (455B,17A) Application procedures and requirements generally.** The following procedures and requirements pertain to applications for wastewater permits. More specific and substantive requirements may be found in 567—Chapters 61 to 65.

**60.4(1) Construction permit applications.**

*a. General.* All applications for a construction permit pursuant to 567—64.2(455B) shall be made in accordance with the instructions for completion of application for wastewater construction permit. The instructions specify the requirements for federal grant and nongrant projects. In addition to the required engineering documents and data the appropriate application schedules (Form 28, “A” to “S”) and Sewage Treatment Agreement Form 29 as applicable shall be submitted. The applicant will be promptly notified if the application is incomplete or improperly filled out, and an application will not be reviewed until such time as a complete and proper submission is made. A wastewater construction permit will be denied when the application does not meet all requirements for issuance of a construction permit. For a system with permits conditioned by limitations on additional loads under 567—subrule 64.2(10), paragraphs “a,” “b” or “f,” subsequent construction permit applications must be accompanied by an accounting of connections and additional loading since the time the initial conditioned permit was issued.

*b. Sewer systems.* If Schedule B, “Collection System,” of the construction permit application does not provide sufficient information on which to make a determination to grant or deny a sewer system construction permit under this subrule, additional information, such as the following, may be requested and evaluated:

- (1) Sources of extraneous flows,
- (2) Population trends and density in area to be served,
- (3) Quality and strength of wastes from industrial contributors,
- (4) Existing water used data,
- (5) Historical and experience data,
- (6) Location, capacity, and condition of existing sewer system and stormwater drainage courses,
- (7) Probability of annexation or development of adjacent areas,
- (8) Service agreements with adjacent communities,
- (9) Existence and effectiveness of industrial waste ordinance,
- (10) Drainage area limits,
- (11) Bypasses and combined sewers,
- (12) Municipal sewer map.

*c. Site surveys.* For new or expanded wastewater treatment facilities, an application for a site survey must be submitted, by the applicant’s engineer, generally in advance of a full application for construction permit. The applicant should allow 60 days from the date of application for preliminary approvals. The following minimum information must be submitted:

(1) A preliminary engineering report or a cover letter which contains a brief description of the proposed treatment process and assurance that the project is in conformance with the long-range planning of the area.

- (2) Completed Schedule A — General Information
- (3) Completed Schedule F — Treatment Project Site Selection
- (4) Completed Schedule G — Treatment Project Design Data

If the application is incomplete it will be returned to the engineer for completion. When the application is complete it will be reviewed and if the data submitted indicates on its face that the site would be unsuitable for its intended purpose, a letter of rejection will be sent to the applicant and the engineer. Clarifications and additional data may be requested of the applicant and the engineer. When the application is complete and indicates on its face that the site may be suitable, a site survey will be conducted by department staff.

*d. Modification.* Persons seeking a modification to plans and specifications after having been issued a construction permit shall submit an addendum to plans and specifications, a change order, or revised plans and specifications, along with the reasons for the proposed changes, to the department. A supplemental written permit or approval will be issued when the changes submitted by the applicant meet department requirements. Construction shall not proceed until such changes have been approved.

*e. Fees.* Required fees shall be submitted with all applications for a construction permit as noted in 567—64.16(455B).

**60.4(2) Operation and NPDES permit applications.**

*a. General.* A person required to obtain or renew a wastewater operation permit or an Iowa NPDES permit pursuant to 567—Chapter 64, 567—Chapter 65, or 567—Chapter 69 must complete the appropriate application form as identified in subrule 60.3(2).

(1) Complete applications. A permit application is complete and approvable when all necessary questions on the application forms have been completed and the application is signed pursuant to 567—subrule 64.3(8), and when all applicable portions of the application, including the application fee and required attachments, have been submitted. The director may require the submission of additional information deemed necessary to evaluate the application. The due date for a renewal application is 180 days prior to the expiration date of the current permit, as noted in 567—64.8(455B). For a POTW, permission to submit an application at a later date may be granted by the director. The due date for a new application is 180 days prior to the date the operation is scheduled to begin, unless a shorter period is approved by the director.

(2) Incomplete applications. Incomplete applications may be returned to the applicant for completion. Authorization to discharge will be suspended if a complete application is not submitted to the department before the expiration date of the current permit. In the case of new applications, no discharge will be allowed until an NPDES or operation permit is issued. In the case of existing discharges, if a permit application is incomplete or has not been submitted, the department shall notify the permittee of a violation of this rule and may proceed administratively on the violation or may request that the commission refer the matter to the attorney general for legal action.

(3) Other information. If a permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, the permittee shall promptly submit such facts or information.

*b. Amendments.* A permittee seeking an amendment to its operation permit shall make a written request in the form of a detailed letter to the department which shall include the nature of and the reasons supporting the requested amendment. A variance or amendment to the terms and conditions of a general permit shall not be granted. If a variance or amendment to a general permit is desired, the applicant must apply for an individual permit following the procedures in 567—paragraph 64.3(4) “a.”

(1) Schedules of compliance. Requests to amend a permit schedule of compliance shall be made at least 30 days prior to the next scheduled compliance date which the permittee contends it is unable to meet. The request shall include any proposed changes in the existing schedule of compliance, and any supporting documentation for the time extension. An extension may be granted by the department for cause. Cause may include unusually adverse weather conditions, equipment shortages, labor strikes, federal grant regulation requirements, or any other extenuating circumstances beyond the control of the requesting party. Cause does not include economic hardship, profit reduction, or failure to proceed in a timely manner.

(2) Interim effluent limitations. A request to amend interim effluent limitations in an existing permit shall include the proposed amendments to existing effluent limitations and any documentation in support of the proposed limitations. The department will evaluate the request based upon the capability of the disposal system to meet interim effluent limitations, taking into account the contributions to treatment capability which can be made by good operation and maintenance of the disposal system and by minor alterations which can be made to the system to improve its capability. The department may deny a request where the inability of the disposal system to meet interim effluent limitations is due to increased waste loadings on the system over those loadings upon which the interim limitations were based.

(3) Monitoring requirements. An amendment request for a change in the minimum monitoring requirements in an existing permit is considered a variance request. A request for a variance shall include a letter and the Petition for Waiver or Variance form (542-1258). This form can be obtained from the NPDES section as noted in 60.3(455B). The requesting permittee must provide monitoring results which are frequent enough to reflect variations in actual wastewater characteristics over a period of time and are consistent in results from sample to sample. The department will evaluate the request based upon whether or not less frequent sample results accurately reflect actual wastewater characteristics and whether operational control can be maintained.

Upon receipt of a request, the department may grant, modify, or deny the request. If the request is denied, the department may notify the permittee of any violation of its permit and may proceed administratively on the violation or may request that the commission refer the matter to the attorney general for legal action.

*c. Fees.* Required fees shall be submitted with all permit applications as noted in 567—64.16(455B).

[ARC 7625B, IAB 3/11/09, effective 4/15/09]