

567—30.6(455B) Process to establish or adjust fees and notification of fee rates.

30.6(1) *Setting the fees.* Beginning on January 15, 2016, fees shall be paid as specified in the fee schedule approved by the commission and posted on the department's website. Following the setting of the fee schedule effective January 15, 2016, the department shall submit the proposed budget and fees for major and minor source construction permit programs, the Title V operating permit program, and the asbestos NESHAP program for the following fiscal year to the commission no later than the March commission meeting of each year, at which time the proposal will be available for public comment until such time as the commission acts on the proposal or until the May commission meeting, whichever occurs first. The department's calculated estimate for each fee shall not produce total revenues in excess of limits specified in Iowa Code sections 455B.133B and 455B.133C during any fiscal year. If an established fee amount must be adjusted, the commission shall set the fees no later than the May commission meeting of each year.

Fees established prior to January 15, 2016, shall become effective on January 15, 2016. In subsequent years, adjusted or established fees shall become effective on July 1. A fee not adjusted by the commission shall remain in effect as previously established until the fee is adjusted by the commission.

30.6(2) *Fee types and dollar caps on fee types.* The commission may set fees for the fee types and activities specified in this subrule and shall not set a fee in the fee schedule higher than the levels specified in this subrule without adopting the change pursuant to formal rule making:

- a. New source review applications from major sources, which may include:
 - (1) Review of each application for a construction permit: \$115 per hour;
 - (2) Review of each application for a prevention of significant deterioration permit: \$115 per hour;
 - (3) Review of each plantwide applicability limit request, renewal, or reopening: \$115 per hour;
 - (4) Review of each regulatory applicability determination: \$115 per hour; and
 - (5) Air quality modeling review: \$90 per hour, which may include:
 - 1. Reviewing air quality modeling for construction permit application submittal; prevention of significant deterioration application submittal; and nonattainment new source review project application submittal; and
 - 2. Conducting air quality modeling for construction permit application submittal.
- b. New source review applications from minor sources, which may include:
 - (1) Each application for a construction permit: \$385;
 - (2) Each application for a registration permit: \$100;
 - (3) Each application for a permit by rule: \$100; and
 - (4) Each application for a permit template: \$100.
- c. Asbestos notifications: \$100.
- d. Review of each initial or renewal Title V operating permit application: \$100 per hour.
- e. Title V annual emissions: \$70 per ton.

30.6(3) *Notification of fee schedule.* Following the initial setting of any fee by the commission, the department shall make available to the public a fee schedule at least 30 days prior to its effective date. If any established fee amount is adjusted, the department shall make available to the public a revised fee schedule at least 30 days prior to its effective date. The fee schedule shall be posted on the department's website.

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