

567—60.6(455B) Completing a Notice of Intent (NOI) for coverage under a GP.

60.6(1) *Contents of a complete NOI.* An applicant proposing to conduct activities covered by a GP shall file a complete NOI by submitting to the department materials required in this subrule, as applicable. An NOI is not required for discharges authorized under GPs No. 6 or No. 7, for certain discharges under GP No. 8, or for certain discharges under GP No. 9.

a. NOI Form. Electronic NOI forms provided by the department must be completed in full and may be obtained on the department's website. Paper NOI forms, when provided, must be completed in full.

b. GP fee. The applicable GP fees are listed in 60.14(2).

c. Public notice (PN) for GPs No. 1, No. 2, and No. 3. Applicants for GPs No. 1, No. 2 and No. 3 must publish a PN in accordance with Iowa Code section 455B.103A. The newspaper notice shall, at the minimum, contain the following information:

(1) A brief description of the applicants' activities or operations that result in the discharge described in the NOI;

(2) The name of the waterway to which each discharge of the applicant is made and a short description of the location of each discharge of the applicant on the waterway; and

(3) The address, telephone number, email address, and website of places at which interested persons may obtain further information or inspect and copy the NOI.

60.6(2) *Authorization to discharge under a GP.*

a. Upon the submittal of an NOI in accordance with 60.3(2)"b" and 60.6(1), an applicant is authorized to discharge after the department has determined that the contents of the NOI satisfy the requirements of this chapter and of a GP. The department will notify the applicant of coverage under a GP. If any of the items required for filing an NOI specified in 60.6(1) are missing, the department will consider the NOI incomplete and will notify the applicant of the incomplete items.

b. If the discharge described in the NOI does not meet the requirements of a GP, an NOI may be denied. The department will notify applicants of denial within 30 days.

c. Authorization to discharge is automatic only for the GPs that do not require an NOI under 60.3(2)"b," provided the discharge is a covered activity and the permittee complies with all applicable permit requirements.

60.6(3) *GP suspension or revocation.* In addition to the causes for suspension or revocation listed in 60.3(6), the director may suspend or revoke coverage under a GP and require the applicant to apply for an individual NPDES permit in accordance with 60.3(2)"a." The department will notify the affected discharger and establish a deadline, not longer than one year, for submitting an individual permit application. Coverage may be suspended or revoked for the following reasons:

a. The discharge would not comply with Iowa's WQS pursuant to 567—Chapter 61,

b. The department finds that the activities associated with an NOI do not meet the conditions of the applicable GP, or

c. The department finds that any discharge covered under a GP is not consistent with the conditions specified in the applicable GP.

60.6(4) *Eligibility for individual NPDES permit holders.* A person holding an individual NPDES permit for an activity covered by a GP may apply for coverage under a GP by filing an NOI according to the procedures described in 60.3(2)"b" and this rule. In addition to these requirements, the permittee must submit a written request, with the NOI, to either terminate the individual NPDES permit or to amend the individual NPDES permit to remove the GP-covered activity.

a. Upon receipt of a complete NOI and request for individual NPDES permit termination or amendment, the applicant shall be authorized to discharge under the GP in accordance with 60.6(2). The applicant will receive notification from the department of coverage under the GP and of the termination or amendment of the individual permit.

b. Authorization to discharge under a GP that does not require an NOI will be automatic in accordance with 60.6(2) and shall commence upon completion of individual NPDES permit termination or amendment.

c. Individual NPDES permit amendments under this subrule shall follow the applicable PN procedures in rule 567—60.5(455B).

60.6(5) *Filing a Notice of Discontinuation (NOD)*. A notice to discontinue discharge associated with an activity covered by a GP shall be made electronically or in writing to the department in accordance with the conditions established in each GP.
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