

Frequently Asked Questions

Proposed Rulemaking to Revise Ch. NR 410 NSR Fees

AM-10-23

1. Who will be affected by this rule?
 - The proposed rule revisions will only affect facilities that are required to obtain a source specific construction permit or construction permit exemption approval.
2. How much will construction permit fees increase under the rulemaking?
 - The DNR will be developing a specific proposal as part of this rulemaking. The proposed fee revisions will need to account for the 40% increase in inflation since the last time fees were revised in 2011, as well as other cost increases and changes in the number and types of permit actions the DNR processes.
3. When will the proposed rule changes take effect?
 - The DNR estimates that the proposed rule changes will take effect in Summer 2025.
4. Will this rule affect annual air emission fees?
 - No. The proposed rule only impacts construction permit and construction permit exemption fees.
5. Will the rule increase facility fees if it operates under a registration permit?
 - No. The proposed rule will not affect registration permit holders.
 - Facilities that operate under a registration permit are exempt from the requirement to obtain a construction permit as long as the facility remains eligible for a registration permit.
6. If a facility is exempt from needing an operation permit, will this rule increase the facility fees?
 - The rule will only affect facilities that are exempt from operation permitting if the facility is required to obtain a construction permit or construction permit exemption.
 - Some operation permit exemptions exempt facilities from construction permitting and other operation permit exemptions do not.
7. How is the DNR handling construction permitting until permit fees can be revised?
 - The DNR will continue to review and process construction permit applications, using the resources available for this purpose.
 - As resources become more limited, applicants can expect the time from submittal of initial construction permit application to final permit decision to increase from about 4 months to 6-12 months.
 - The DNR will continue to prioritize permit reviews and strive to meet needed permit timelines. Permit actions will generally be prioritized in the following order:
 - i. Construction permits
 - ii. Construction permit exemptions which, by rule, require DNR approval
 - iii. Construction permit revisions
 - iv. Construction permit exemptions which do not require DNR approval. Note that facilities may construct or modify emissions units under these types of exemptions after submitting an operation permit revision application.