**Section 325.315 Modifications to Notices of Intent for General NPDES Permits**

a) Modifications to Pending Applications.

Prior to a final Agency decision on whether to grant coverage under a general NPDES permit for which a fee has been paid under this Part, the applicant may propose modifications to the Notice of Intent in accordance with the Act and regulations adopted under the Act without any additional fee becoming due, unless the proposed modifications would cause additional fees to be due under Section 325.205. If the proposed modification would cause additional fees to become due, the applicant shall submit the additional fee to the Agency with the proposed modifications to the Notice of Intent for a General NPDES permit or prior to permit issuance for an individual NPDES permit.

b) Modifications to Existing Permits.

A permit holder with coverage under an NPDES general permit may propose modifications to the Notice of Intent to pursue coverage under that general NPDES permit in accordance with the Act and regulations adopted under the Act without any additional fee becoming due, unless the proposed modifications would cause additional fees to be due under Section 325.205. If the proposed modification would cause additional fees to become due, the applicant shall submit the additional fee to the Agency with the proposed modifications to the Notice of Intent for a General NPDES permit or prior to permit issuance for an individual NPDES permit.

c) If the applicant proposes a modification prior to a final Agency decision on whether to grant coverage under a general NPDES permit for which a fee has been paid under this Part, any applicable waiting periods for coverage under the general permit shall commence on the date that the modification and any required fee is received.

d) If modifications to a Notice of Intent to pursue coverage under a general NPDES permit are received by the Agency from the applicant within 90 days after the date of denial of coverage under the general NPDES permit by the Agency, and if the modifications would allow coverage under the general NPDES permit to be approved, coverage will be issued without additional fees becoming due under this Part, unless the proposed modifications cause an increase in the required fee under Section 325.205. If the modifications cause an increase in the fees due under Section 325.205, the applicant shall submit the additional fee to the Agency with the modification.

e) Except in those cases where a permit denial or specified permit conditions have been appealed to the Illinois Pollution Control Board in accordance with Section 40 of the Act, modifications to Notices of Intent to pursue coverage under general NPDES permits received by the Agency more than 90 days after the date of a denial of coverage under a general NPDES permit by the Agency shall be considered new applications subject to the fees specified in Section 325.205.