**Section 325.435 Transfer of Ownership and Fees**

a) When there is a change in ownership or operational control at a permitted facility subject to one or more of the fees in this Part, the new owner or operator will become liable for all fees that accrue as of the date of transfer of permit coverage.

b) Transfer of permit coverage may occur only in the following ways (40 CFR 112.61):

1) The permit is modified or revoked and reissued;

2) The permit is transferred by minor modification; or

3) The permit is transferred by automatic transfer.

c) Transfer by Minor Modification. A change in ownership or operational control of a facility will be considered a minor modification of an NPDES permit under 40 CFR 122.63(d) provided that no other change in the permit is necessary, all past due fees have been paid, and a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittees has been submitted to the Agency.

d) Transfer by Automatic Transfer. An NPDES permit will be automatically transferred pursuant to 40 CFR 122.61(b) if all of the following conditions are met:

1) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;

2) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them;

3) All past due fees have been paid; and

4) The Agency does not notify the existing and proposed permittees of its intent to modify or revoke and reissue the permit. If this notice is not received, the automatic transfer is effective on the date specified in the agreement between the parties.