**Section 320.103 Applicability**

a) Except as provided otherwise in subsection (c), this Part applies to each applicant for a construction permit required under Title III of the Act, or 35 Ill. Adm. Code.Subtitle C, to install or extend sewers.

b) Except as provided otherwise in subsection (c), this Part applies to each applicant for a construction permit required under Title III of the Act, or 35 Ill. Adm. Code.Subtitle C or D, to install or extend any treatment works, industrial pretreatment works, or industrial wastewater source. No fee shall be assessed under this Section if:

1) *A treatment works or wastewater source is directly covered and authorized under an NPDES permit issued by the Agency;*

2) *A treatment works, industrial pretreatment works, or industrial wastewater source is under or pending construction authorized by a valid construction permit issued by the Agency prior to July 1, 2003 during the term of that construction permit; or*

3) *A treatment works, industrial pretreatment works, or industrial wastewater source for which a completed construction permit application has been received by the Agency prior to July 1, 2003 with respect to the permit issued under that application.* (Section 12.2(a) of the Act)

c) Pursuant to Section 12.2(e) of the Act, this Part does not apply to:

1) Any *department, agency or unit of State government for installing or extending a sewer*;

2) Any *unit of local government with which the Agency has entered into a written delegation agreement under* Section 4 of the Act *which allows such unit to issue construction permits under* Title III of the Act, *or regulations adopted thereunder, for installing or extending a sewer; or*

3) Any *unit of local government or school district for installing or extending a sewer where both of the following conditions are met*:

A) The *cost of the installation or extension is paid wholly from monies of the unit of local government or school district, State grants or loans, federal grants or loans, or any combination thereof; and*

B) The *unit of local government or school district is not given monies, reimbursed or paid, either in whole or in part, by another person (except for State grants or loans or federal grants or loans) for the installation or extension.* (Section 12.2(e) of the Act)

(Source: Amended at 33 Ill. Reg. 11464, effective July 22, 2009)