



State of Oregon
Department of
Environmental
Quality

Department of Environmental Quality

Industrial Stormwater Program

No Exposure Certification for NPDES Permit No. 1200-Z

National Pollutant Discharge Elimination System
Industrial Stormwater Discharge General Permits

Submission of this No Exposure Certification is required to notify DEQ's agent that the entity identified in Section A does not require permit coverage for stormwater discharges associated with industrial activity under DEQ's NPDES industrial stormwater general permit due to a condition of no exposure. Stormwater discharges from construction activities identified in 40 CFR §122.26(b)(14)(x) and (b)(15) are not eligible for the no exposure exclusion.

Agents will not process incomplete applications; all fields are required to be filled out.

A. FACILITY CONTACT INFORMATION

1. Facility Legal Name:

2. Facility Common Name:

Legal Contact:

Title:

Phone:

Email Address:

Address:

State:

City:

Zip:

Facility Contact:

Title:

Phone:

Email Address:

Address:

State:

City:

Zip:

B. FACILITY INFORMATION

1. Facility Physical Address:

City:

State:

Zip:

Latitude:

Longitude:

County:

2. Legal Status of Applicant: Federal State: Public: Private: Other:

C. EXPOSURE CHECKLIST

Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future?

(Please check either “Yes” or “No”.)

If you answer “Yes” to any of these questions, the facility is not eligible for the no exposure exclusion.

1. Using, storing or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning Industrial machinery or equipment remain and are exposed to stormwater	Yes	No
2. Materials or residuals on the ground or in stormwater inlets from spills/leaks	Yes	No
3. Materials or products from past industrial activity	Yes	No
4. Material handling equipment (except adequately maintained vehicles)	Yes	No
5. Materials or products during loading/unloading or transporting activities	Yes	No
6. Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to stormwater does not result in the discharge of pollutants)	Yes	No
7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers	Yes	No
8. Materials or products handled/stored on roads or railways owned or maintained by the discharger	Yes	No
9. Waste material (except waste in covered, non-leaking containers [e.g., dumpsters])	Yes	No
10. Application or disposal of process wastewater (unless otherwise permitted)	Yes	No
11. Particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated (i.e., under an air quality control permit) and evident in the stormwater outflow	Yes	No
12. Storm resistant shelters with unsealed zinc or copper roofing materials	Yes	No

D. NO EXPOSURE CERTIFICATION STATMENT

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of “no exposure” and obtaining an exclusion from NPDES stormwater permitting.

I certify under penalty of law that there are no discharges of stormwater by exposure to industrial activities or materials from the industrial facility or site identified in this document (except as allowed under 40 CFR §122.26(g)(2)).

I understand that I am obligated to submit a no exposure certification form once every five years to DEQ's agent and, if requested, to the operator of the local municipal separate storm sewer system (MS4) into which the facility discharges (where applicable). I understand that I must allow the NPDES permitting authority, or MS4 operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request.

I understand that I must obtain coverage under an NPDES permit prior to any stormwater discharge associated with industrial activity from the facility.

Additionally, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false information, Including the possibility of fine and imprisonment for knowing violations.

Name: _____

Title: _____

Signature: _____

Date: _____

OFFICIAL USE ONLY

Date Approved:

By:

Date Facility Notified:

By:

Comments:

Who May File a No Exposure Certification?

Federal law prohibits point source discharges of stormwater associated with industrial activity to surface waters without a National Pollutant Discharge Elimination System (NPDES) permit (40 CFR §122.26). However, NPDES permit coverage is not required for discharges of stormwater associated with industrial activities identified at 40 CFR §122.26(b)(14)(i) - (ix) and (xi) if the discharger can certify that a condition of “no exposure” exists at the industrial facility or site.

Criteria for Qualifying for No Exposure Certification

A condition of no exposure exists at an industrial facility when all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to precipitation including but not limited to rain, snow, sleet, hail or thawing precipitation (e.g., snowmelt). Measures must be in place to prevent stormwater run-off from entering the storm resistant shelter. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. Practices must prevent tracking of materials outside storm resistant shelters. A storm resistant shelter is conditionally not required for the following industrial materials and activities:

- Drums, barrels, buckets, pales, and similar containers that are tightly sealed, provided those containers are not deteriorated and do not leak. “Sealed” means banded or otherwise secured and without operational taps or valves.
- Precipitation must not contact product or residue thereof on the exterior of the container or tank. Precipitation collected in secondary containment devices or structures must be properly managed.
- Solid waste dumpsters that are completely closed and not leaking.
- Adequately maintained vehicles used in material handling, transportation, and fleets.
- Final products, other than products that would be mobilized in stormwater discharges (e.g., wood chips, rock salt, etc.).

Obtaining and Maintaining the No Exposure Exclusion

This form is used to certify that a condition of no exposure exists at the industrial facility or site described herein. This certification must be re-submitted at least once every five years.

The industrial facility operator must maintain a condition of no exposure at its facility or site in order for the no exposure exclusion to remain applicable. If conditions change resulting in the exposure of materials and industrial activities to stormwater, the facility operator must obtain coverage under an NPDES stormwater permit immediately.

Where to File This Form

Mail the original form to the appropriate DEQ's agent office.

In addition, upon request, a copy of this form must be sent to the operator (i.e., local municipality) of the municipal separate storm sewer system if stormwater run-off from your facility is discharged to such a system.

Completing the Form

One form must be completed for each facility or site for which you are seeking to certify a condition of no exposure. Additional guidance on completing this form can be accessed through EPA's web site at <https://www3.epa.gov/npdes/pubs/noxguide.pdf>. Please make sure you have addressed all applicable questions and have made a photocopy for your records before sending the completed form to the address below.

Section A. Facility Contact Information

1. Enter the official or legal name of the facility or site.
2. Enter the common name of the facility or site.
3. Provide the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this certification. The name of the operator may or may not be the same as the name of the facility. The operator is the legal entity that controls the facility's operation, rather than the plant or site manager.
4. Provide the telephone number of the legal contact.
5. Provide the e-mail address of the legal contact.
6. Provide the mailing address of the legal contact (P.O. Box numbers may be used). Include the city, state, and zip code. All correspondence will be sent to this address.
7. Provide the name of the person that operates the facility, the facility contact.
8. Provide the telephone number of the facility contact.
9. Provide the e-mail address of the facility contact.
10. Provide the mailing address of the facility contact. Include the city, state, and zip code.

Section B. Facility/Site Location Information

1. Enter the complete street address (if no street address exists, provide a geographic description [e.g., Intersection of Routes 9 and 55]), city, county; state, and zip code. Do not use a P.O. Box number. Also, provide the latitude and longitude of the approximate center of the facility or site in degrees/minutes/seconds.
2. Indicate whether the industrial facility is operated by a department or agency of the Federal Government (see also Section 313 of the Clean Water Act).
3. Indicate whether you are seeking coverage under this permit as a "federal operator." Also check the ownership type for the facility (e.g., Federal Facility, Privately Owned Facility, Municipality, County Government, Corporation, State Government, Tribal Government, School District, District, Mixed Ownership [e.g., public/private], Municipal or Water District).
4. Enter the 4 digit SIC code and NAICS code that identifies the facility's primary activity, and, if applicable, second 4 digit SIC code identifying the facility's secondary activity. SIC codes can be obtained from the Standard Industrial Classification Manual, 1987 or from <http://www.osha.gov/cgi-bin/sic/sicser5>.
5. Indicate whether the facility was previously covered under an NPDES stormwater permit. If so, include the permit number.

6. Indicate if there are any other DEQ permits issued for this site. If so, please describe the permits and provide the permit numbers.
7. Indicate if any leaks or spills of materials or wastes have occurred at the facility within the last three years.
8. Indicate if you are using any of the stormwater outfalls on site to discharge wastewater that is authorized under a different permit.
9. Enter the total size of the site associated with industrial activity in acres. Acreage may be determined by dividing square footage by 43,560, as demonstrated in the following example.

Example: Convert 54,450 ft² to acres

Divide 54,450 ft² by 43,560 square feet per acre:

$$54,450 \text{ ft}^2 \div 43,560 \text{ ft}^2/\text{acre} = 1.25 \text{ acres.}$$

10. Check “Yes” or “No” as appropriate to indicate whether you have paved or roofed over a formerly exposed, pervious area (i.e., lawn, meadow, dirt or gravel pad/parking lot) in order to qualify for no exposure. If yes, also indicate approximately how much area was paved or roofed over and is now impervious area.
11. Indicate which vehicle-related activities occur at your facility. Check all of the boxes that apply and provide description of activity, where the activity occurs, if the activity area is covered and where any discharge from the activity is directed.

Section C. Exposure Checklist

Check “Yes” or “No” as appropriate to describe the exposure conditions at your facility. If you answer “Yes” to **ANY** of the questions (1) through (12) in this section, a potential for exposure exists at your site and you cannot certify to a condition of no exposure. Therefore you must obtain (or continue your) coverage under an NPDES stormwater permit. If after obtaining permit coverage, you implement modifications to eliminate the potential for a discharge of stormwater exposed to industrial activity, you may submit a No Exposure Certification form at that time.

Section D. Certification Statement

Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means:

- i. president, secretary treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or
- ii. the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipal, State, Federal, or other public facility: by either a principal executive or ranking elected official

City of Eugene
Regulatory Services
410 River Ave. Eugene, OR
97404
541-682-8616

Clean Water Services
2550 SW Hillsboro Highway Hillsboro, OR
97123
503-681-5175
*Includes Banks, Beaverton, Cornelius,
Durham, Forest Grove, Gaston, Hillsboro,
King City, North Plains, Sherwood, Tigard,
Tualatin, and portions of Washington Co.*

**City of Portland Bureau of
Environmental Services**
Water Pollution Control
Laboratory
6543 N. Burlington Ave.
Portland, OR 97203-5452
503-823-5547