

CHECKLIST FOR NO-EXPOSURE CERTIFICATION FOR NPDES STORM WATER PERMITTING

Instructions - EPA Form XXX-X

Who May File a No-Exposure Certification

In accordance with the Clean Water Act, all industrial facilities that discharge storm water meeting the definition of storm water associated with industrial activity must apply for coverage under a National Pollutant Discharge Elimination System (NPDES) permit. However, permit coverage is not required at facilities that can certify a "no-exposure" condition exists. This document may be used to certify that at the facility described herein, a condition of no-exposure exists. This certification is under the auspices of the EPA only and must be made at least once every five years. Should the industrial activity change such that a condition of no-exposure no longer exists, this certification is no longer valid and coverage under an NPDES storm water permit must be sought.

Definition of No-Exposure

No-exposure exists at an industrial facility when all industrial materials or activities, including, but not limited to, material handling equipment, industrial machinery, raw materials, intermediate products, by-products or waste products, however packaged, are protected by a storm-resistant shelter so as not to be exposed to rain, snow, snowmelt, or runoff. Adequately maintained mobile equipment (trucks, automobiles, trailers or other such general purpose vehicles found at the industrial site which themselves are not industrial machinery or material handling equipment and which are not leaking contaminants or are not otherwise a source of industrial pollutants) may be exposed to precipitation or runoff.

Completing The Form

You must type or print in the spaces provided only. One form must be completed for each facility or site for which you are seeking to certify no-exposure.

Section I. Facility Operator Information

Provide the legal name (no colloquial names) 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. Enter the complete address (P.O. Box numbers OK) and telephone number of the operator.

Section II. Facility/Site Location Information

Enter the facility's or site's official or legal name and complete street address (directional address OK if no street address exists). Do not provide a P.O. Box number as the street address. In addition, provide the latitude and longitude of the facility to the nearest 15 seconds of the approximate center of the site (if you do not know your site's latitude and longitude, call 1-800-USA-MAPS).

Section III. Exposure Checklist

Circle "Yes" or "No" as appropriate to describe conditions at your facility. For the purposes of this document, "material" is defined as any raw material, intermediate product, finished product, by-product or waste product, however packaged. "Material handling activities", by definition, include storage, loading and/or unloading, transportation or conveyance of a raw material, intermediate product, finished product, by-product or waste product.

Interpretation of Results

If you answer "Yes" to ANY of questions a. through r. in Section III, a potential for exposure exists at your site and you cannot certify a no-exposure condition exists. You must obtain (or already have) coverage under an NPDES Storm Water permit. After obtaining permit coverage, you can institute modifications to eliminate the potential for a discharge of storm water exposed to industrial activity, and then claim no-exposure and terminate coverage under the existing permit.

Section IV. Certification

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, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures **[note, wording subject to change as a result of NPDES streamlining, rnd. II]**

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

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

Where To File This Form

Mail the completed form to:

XXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXX
U.S. Environmental Protection Agency (4203)
401 M St. SW
Washington, DC 20460

CHECKLIST FOR NO-EXPOSURE CERTIFICATION (Continued)

I. Facility Operator Information

Name:

Phone:

Address:

City:

State:

Zip Code:

II. Facility/Site Location Information

Facility Name:

Facility Address:

City:

State:

Zip Code:

County Name:

Latitude:

Longitude:

III. Exposure Checklist

Are any of the following items exposed to precipitation, now or in the foreseeable future, AND is the drainage from these areas discharged from the site to surface waters of the US or to a municipal separate storm sewer system?

- | | | |
|---|-----|----|
| a. vehicles used in material handling (excepting adequately maintained mobile equipment) | Yes | No |
| b. industrial machinery or equipment | Yes | No |
| c. residue from the cleaning of machinery or equipment | Yes | No |
| d. materials associated with vehicular maintenance, cleaning or fueling | Yes | No |
| e. materials or products during loading/unloading or transporting activities | Yes | No |
| f. materials or products at uncovered loading docks | Yes | No |
| g. materials or products stored outdoors (excepting products intended for outside use, e.g., cars) | Yes | No |
| h. materials or products handled/stored on roads or railways owned or maintained by the certifier | Yes | No |
| i. materials or spill/leak residues accumulated in storm water inlets | Yes | No |
| j. residuals on the ground from spills/leaks (including subsurface residuals from percolation) | Yes | No |
| k. materials contained in open or deteriorated storage tanks/drums/containers | Yes | No |
| l. industrial activities conducted outdoors | Yes | No |
| m. materials or products from past outdoor industrial activity | Yes | No |
| n. waste material | Yes | No |
| o. process wastewater disposed of outdoors (unless otherwise permitted) | Yes | No |
| p. particulate matter from roof stacks/vents not otherwise regulated (i.e., under an air quality control permit) and in quantities detectable in the storm water outflow. | Yes | No |
| q. visible deposits of residuals near roof or side vents | Yes | No |

r. spills/leaks resulting from maintenance of stacks or air exhaust systems

Yes No

Have you paved or roofed over a large (greater than 1 acre or 43,560 square feet), formerly exposed pervious area in order to qualify for no-exposure?(*Answering Yes to this question does not disqualify you for the no exposure exemption unless you are notified of such by your permitting authority.*) Yes No

CHECKLIST FOR NO-EXPOSURE CERTIFICATION (Continued)

IV. Certification

I certify that there are no discharges of storm water contaminated by exposure to industrial activities or materials from the facility identified in this document.

I understand that I am obligated to make this certification once every five years to the NPDES permitting authority and, if requested, to the municipality (or other local government) in which this facility is located providing the facility discharges storm water into the local municipal separate storm sewer system (MS4) or to any other interested person. I understand that I must seek coverage under an NPDES storm water permit prior to any point-source discharge of exposed storm water from the facility. I understand that I must allow the permitting authority, or municipality where the discharge is into the MS4, to perform inspections to confirm the condition of no-exposure and to make such inspection reports publicly available upon request.

Additionally, I certify under penalty of law this document was prepared under my direction and that qualified personnel gathered and evaluated the information submitted. Based upon my knowledge of the personnel directly involved in gathering the information, the information is true, accurate and complete. I am aware there are significant penalties for providing false information, including the possibility of fine and imprisonment.

Signed: _____

Date: _____

Print Name and Title: _____