

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM)
No EXPOSURE CERTIFICATION
FOR EXCLUSION FROM NPDES STORMWATER PERMITTING FOR INDUSTRIAL ACTIVITIES

This form should be used to submit a No Exposure Certification for exclusion from NPDES stormwater permitting for industrial activities pursuant to ADEM Admin. Code r. 335-6-6-.03(2) and 40 CFR §122.26. *This form was adapted from EPA NPDES Form 3510-11 (09-08).* Submission of this No Exposure Certification constitutes notice that the entity identified in Item 1.A does not require NPDES permit authorization for its stormwater discharges associated with industrial activity at the facility identified in Section 1 due to the existence of a condition of no exposure.

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 rain, snow, snowmelt, and/or runoff. 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. A storm resistant shelter is not required for the following industrial materials and activities:

- drums, barrels, tanks, 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;
- adequately maintained vehicles used in material handling; and
- final products, other than products that would be mobilized in stormwater discharges (e.g., rock salt).

For more information in determining whether a condition of no exposure exists at your facility, please review EPA's *Guidance Manual for Conditional Exclusion from Storm Water Permitting Based On "No Exposure" of Industrial Activities to Storm Water*, which may be downloaded from <https://www3.epa.gov/npdes/pubs/noxguide.pdf>.

A No Exposure Certification must be provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from NPDES permitting is available on a facility-wide basis only, not for individual outfalls. If any industrial activities or materials are or will be exposed to precipitation, the facility is not eligible for the no exposure exclusion.

By signing and submitting this No Exposure Certification form, the entity in Item 1.A is certifying that a condition of no exposure exists at its facility or site, and is obligated to comply with the terms and conditions of 40 CFR 122.26(g). Mail completed form to:

ADEM-Water Division
Industrial General Permit Section
PO Box 301463
Montgomery, Alabama 36130-1463

PURPOSE OF SUBMITTAL

Initial Certification (i.e. Facility has never submitted a No Exposure Certification or has never been covered under an NPDES Permit)

Recertification (No Exposure Certifications must be signed and submitted every 5 years for exclusion to remain valid)

Provide No Exposure Certification Number issued by the Department **NEC** _____

Modification of Certification (i.e. Updated No Exposure Certification is being submitted)

Provide No Exposure Certification Number issued by the Department **NEC** _____

Please indicate the reason for submitting a new certification prior to the expiration of the 5-year period:

- Change to Name of Permittee or Facility **without** an Ownership Change
- Change to Name of Permittee or Facility **with** an Ownership Change
- Parent Company Ownership Change that does **not** affect the Name of Permittee or Facility
- Other _____

SECTION 1. FACILITY IDENTIFICATION INFORMATION

A. Name of Facility Owner/Operator: _____

Name of Facility: _____

Mailing Address of Facility Owner/Operator: – PO Box or Street Route _____

City, State and Zip Code _____

B. Location (STREET ADDRESS) of Facility: _____

City, County: _____

C. Provide the latitudinal and longitudinal coordinates of the facility location. (Front Gate):

Latitude _____ N Longitude _____ W

D. Facility Contact Person:

Name: _____ Title: _____

Phone Number: _____ Email Address: _____

E. Standard Industrial Code (SIC) [The primary SIC Code should reflect the primary activity of business (i.e. generates the highest revenue)]:

<u>SIC Code</u>	<u>SIC Description</u>
1. _____ (Primary)	_____
2. _____ (Secondary)	_____

F. Total size of site associated with industrial activity: _____ acres

G. Is the facility currently or has it previously been covered under an NPDES stormwater permit? Yes No

If Yes, what is/was the NPDES permit number? _____

H. Has this facility previously had a No Exposure Certification? Yes No

If yes, please provide the NEC number referenced in ADEM's acceptance letter NEC _____

I. Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the no exposure exclusion? Yes No

If yes, please indicate approximately how much area was paved or roofed over. Completing this question does not disqualify you for the no exposure exclusion. However, your permitting authority may use this information in considering whether stormwater discharges from your site are likely to have an adverse impact on water quality, in which case you could be required to obtain permit coverage.

Less than one acre

One to five acres

More than five acres

SECTION 2. 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" in the appropriate box.) **If you answer "Yes" to any of these questions (1) through (11), you are not eligible for the no exposure exclusion.**

Yes No

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 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 |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Materials or residuals on the ground or in stormwater inlets from spills/leaks |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Materials or products from past industrial activity |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Material handling equipment (except adequately maintained vehicles) |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Materials or products during loading/unloading or transporting activities |
| <input type="checkbox"/> | <input type="checkbox"/> | 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) |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Materials or products handled/stored on roads or railways owned or maintained by the discharger |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Waste material (except waste in covered, non-leaking containers [e.g., dumpsters]) |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Application or disposal of process wastewater (unless otherwise permitted) |
| <input type="checkbox"/> | <input type="checkbox"/> | 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 |

SECTION 3. CERTIFICATION STATEMENT

Instructions: The information contained in this form must be certified by a responsible official (RO) as defined in ADEM Administrative Code r. 335-6-6-.09 "Signatories to Permit Applications and Reports." By definition, a responsible official is:

- (a) In the case of a **corporation**, by a principal executive officer **of at least the level of vice president**, or a manager assigned or delegated in accordance with corporate procedures, with such delegation submitted in writing if required by the Department, who is responsible for manufacturing, production, or operating facilities and is authorized to make management decisions which govern the operation of the regulated facility;
 - (b) In the case of a **partnership**, by a **general partner**;
 - (c) In the case of a **sole proprietorship**, by the **proprietor**; or
 - (d) In the case of a **municipal, state, federal, or other public entity**, by either a **principal executive officer or ranking elected official**.
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"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 contaminated 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 the NPDES permitting authority 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 point source discharge of stormwater 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."

RO Name (type or print): _____ RO Signature: _____ Date Signed: _____

RO Title: _____ RO Email Address: _____