



Department of Environmental Quality

NO EXPOSURE CERTIFICATION
For Exclusion from NPDES Storm Water Permitting

Submission of this *No Exposure Certification* is required to notify DEQ that the entity identified in Section A does not require permit coverage for its storm water discharges associated with industrial activity under DEQ's NPDES industrial storm water general permit(s) due to a condition of no exposure. **Please review the criteria for qualifying for the no exposure conditional exclusion, described in the Instructions section on page 3 of this form, prior to completing the form.**

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. Under penalty of the law by signing and submitting this *No Exposure Certification* form, the person signing for the entity in Section 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).

ALL INFORMATION MUST BE PROVIDED ON THIS FORM. Detailed instructions for completing this form and obtaining the no exposure exclusion are provided on page 3 and 4.

A. Facility Operator Information

- 1. Legal Name: _____
- 2. Phone: _____ 3. Email Address: _____
- 4. Mailing Address: _____
Street: _____
City: _____ State: _____ Zip Code: _____

B. Facility/Site Location Information

- 1. Facility Name: _____
- 2. Street Address: _____
City: _____ State: _____ Zip Code: _____ County: _____
- 3. Legal Status of Applicant: Federal State Public Private Other, specify: _____
- 4. Was the facility or site previously covered under an NPDES storm water permit? Yes No
If yes, enter NPDES permit type and file number: _____
- 5. Primary SIC Code: _____ Secondary SIC code (if applicable): _____
- 6. Total size of site in acres associated with industrial activity: _____
- 7. 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, DEQ may use this information in considering whether storm water 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
- 8. Please indicate if any of the following activities occur at your facility (DEQ may use this information in assessing which facilities to inspect to verify the no exposure condition exists):
 Vehicle washing
 Fueling of vehicles or equipment
 Vehicle repair and/or maintenance



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C. Exposure Checklist

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

(Please check "Yes" or "No".) **IF YOU ANSWER "YES" TO ANY OF THESE QUESTIONS, THE FACILITY IS NOT ELIGIBLE FOR THE NO EXPOSURE EXCLUSION.**

	Yes	No
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 storm water	<input type="checkbox"/>	<input type="checkbox"/>
2. Materials or residuals on the ground or in storm water 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 storm water 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 storm water outflow	<input type="checkbox"/>	<input type="checkbox"/>
12. Storm resistant shelters with unsealed zinc or copper roofing materials	<input type="checkbox"/>	<input type="checkbox"/>

D. Certification Statement

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 storm water permitting.

I certify under penalty of law that there are no discharges of storm water 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 DEQ 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 storm water 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.

Print Name: _____ Print Title: _____

Signature: _____ Date: _____

DEQ USE ONLY

Date Approved:	By:
Date Facility Notified:	By:
Comments:	





Instructions for the NO EXPOSURE CERTIFICATION For Exclusion from NPDES Storm Water Permitting

Who May File a No Exposure Certification?

Federal law prohibits point source discharges of storm water 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 storm water 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.

Storm water discharges from construction activities identified in 40 CFR §122.26(b)(14)(x) and (b)(15) are not eligible for the no exposure exclusion.

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 storm water 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. 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 storm water 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 activities to storm water, the facility operator must obtain coverage under an NPDES storm water permit immediately.

Where to File This Form

Mail the original form to the appropriate DEQ regional office. See attached map and address list for the office in your area.

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 storm water 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 <http://cfpub.epa.gov/npdes/stormwater/exposure.cfm>. 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 above.

Section A. Facility Operator Information

1. 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.
2. Provide the telephone number of the facility operator.
3. Provide the e-mail address of the facility operator
4. Provide the mailing address of the operator (P.O. Box numbers may be used). Include the city, state, and zip code. All correspondence will be sent to this address.

Section B. Facility/Site Location Information

1. Enter the official or legal name of the facility or site.
2. 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.
3. 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).



Instructions for the NO EXPOSURE CERTIFICATION

continued

4. Indicate whether the facility was previously covered under an NPDES storm water permit. If so, include the permit number.
5. Enter the 4-digit SIC 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/sicsr5>.
6. 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 ft² ÷ 43,560 ft²/acre = 1.25 acres.
7. 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.
8. Indicate which vehicle-related activities occur at your facility. Check all of the boxes that apply.

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 (11) in this section, a potential for exposure exists at your site and you cannot certify to a condition of no exposure. 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 certify to a condition of no exposure.

Section D. Certification Statement

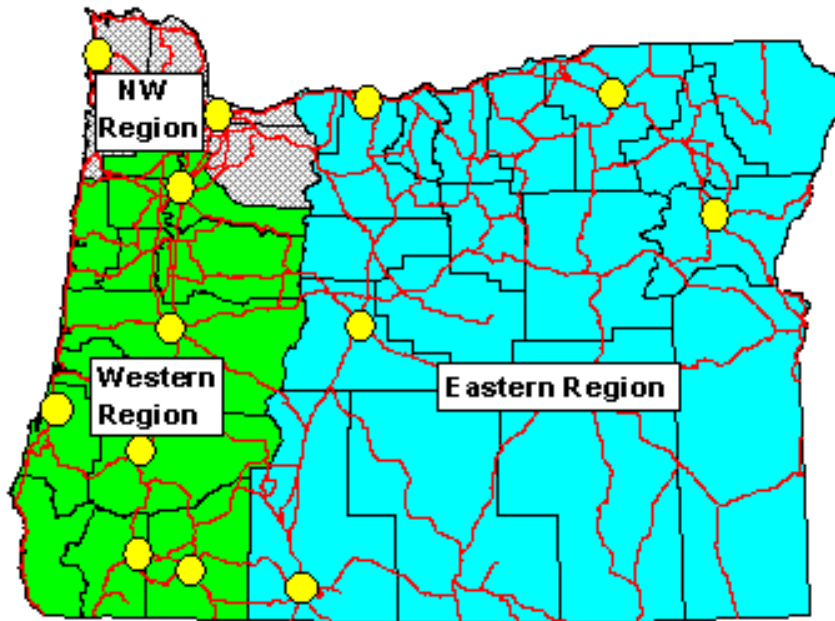
Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

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.



Northwest Region

Northwest Region - 503-229-5263
 FAX - 503-229-6945
 2020 SW 4th Ave., #400
 Portland OR 97201

Western Region

Western Region - 541-686-7838
 1102 Lincoln St., Suite 210
 Eugene, OR 97401

Medford Office 541-776-6010
 201 W. Main St., #2-D
 Medford, OR 97501

Salem Office 503-378-8240
 750 Front St. NE, #120
 Salem, OR 97310

Coos Bay Branch Office 541-269-2721
 340 N. Front
 Coos Bay, OR 97420

Roseburg Branch Office 541-440-3338
 1937 W. Harvard Blvd.
 Roseburg, OR 97470

Grants Pass Branch Office 541-471-2850
 510 NW 4th, Rm. 76
 Grants Pass, OR 97526

Eastern Region

Eastern Region - 541/388-6146
 2146 NE 4th
 Bend OR 97701

Pendleton Office 541-276-4063
 700 SE Emigrant, #330
 Pendleton, OR 97801

Baker City Branch Office 541-523-7998
 2034 Auburn St.
 Baker City, OR 97814

Columbia Gorge Branch Office 541-298-7255
 Columbia Gorge Community College
 400 E. Scenic Dr. Bldg. 2
 The Dalles, OR 97058

Hermiston Office 541-567-8297
 256 East Hurlburt, Suite 117
 Hermiston, OR 97838

Klamath Falls Office 541-883-5603
 PO Box 333
 700 Main Street, Suite 202
 Klamath Falls, OR 97601