

IOWA DEPARTMENT OF NATURAL RESOURCES

NO-EXPOSURE CERTIFICATION FOR EXCLUSION FROM NPDES STORM WATER PERMITTING

Submission of this No-Exposure Certification constitutes notice that the entity identified in this document does not require a permit authorization for its storm water discharges associated with industrial activity under Iowa’s Storm Water General Permit 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 storm water discharges (e.g., rock salt).

A No-Exposure Certification must be provided for each facility qualifying for the no-exposure exclusion. In addition, the exclusion from NPDES storm water 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 is certifying that a condition of no-exposure exists at its facility 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 pages 3 and 4.

A. Facility Operator Information

Has this facility ever had a NPDES storm water permit? (Check One) Yes No

If yes, please list authorization number or permit number: _____ SIC CODE: _____

Contact Person:

Company Name:

Phone: ()

Address:

City:

State:

Zip Code:

B. Facility Location Information

Facility Name:

Facility Address/Location:

City:

County:

State:

Give The Location By Section/Township/Range or Latitude/Longitude

1/4 SECTION	TOWNSHIP	RANGE	LATITUDE			LONGITUDE		
			DEGREES	MINUTES	SECONDS	DEGREES	MINUTES	SECONDS

C. Exposure Checklist

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

(Please circle either “Yes” or “No”.) **If you answer “Yes” to any of these questions (1) through (11), you are 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 storm water	Yes	No
2. Materials or residuals on the ground or in storm water 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	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 non-leaking containers that are covered by a storm resistant shelter, if your dumpsters are not stored inside a shelter you must answer yes)	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 storm water outflow	Yes	No

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 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 storm water from the facility.

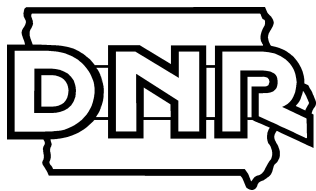
Additionally, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons 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:



INSTRUCTIONS FOR THE NO-EXPOSURE CERTIFICATION FOR EXCLUSION FROM NPDES STORM WATER PERMITTING

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, 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.

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.

Definition 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.

Obtaining and Maintaining the No-Exposure Exclusion

This form is used to certify that a condition of no-exposure exists at the industrial facility described herein. This certification is only applicable where Iowa is the NPDES permitting authority and must be re-submitted 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.

Completing the Form

You must type or print legibly. One form must be completed for each facility or site for which you are seeking to certify a condition of no-exposure. Keep a photocopy of the completed certification form for your records.

Section A. Facility Operator Information

1. Indicate whether the facility was previously covered under an NPDES storm water permit. If so, include the permit number.
2. Enter the 4-digit SIC code, which identifies the facility’s primary activity if applicable. SIC codes can be obtained from the Standard Industrial Classification Manual, 1987.
3. Provide the legal name of a contact person, firm, public organization, or any other entity that owns or 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.
4. Provide the telephone number of the contact person.
5. Provide the mailing address of the contact person (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 Highway 9 and 55th Avenue]), city, county, state, and zip code. Do not use a P.O. Box number.
3. Give the location by ¼ Section location (i.e. NW), Section Number, Township, Range or enter the latitude and longitude of the approximate center of the facility or site in degrees/minutes/seconds. Latitude and longitude can be obtained from United States Geological Survey (USGS) quadrangle or topographic maps, by calling 1-(888) ASK-USGS, or by accessing EPA’s web site at <http://www.epa.gov/owm/sw/industry/index.htm> and selecting Latitude and Longitude Finders under the Resources/Permit Section.

Section C. Exposure Checklist

Circle either “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

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

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

- 1) 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
- 2) 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.

Where to File the No-Exposure Certification Form

Mail the completed no-exposure certification form to:

**Storm Water Coordinator
Iowa Department of Natural Resources
Environmental Protection Division
502 East 9th Street
Des Moines, IA 50319-0034**

Photocopy the completed certification form for your records, before sending the form to the above address.

Questions regarding no-exposure certification and general storm water permits can be directed to the Storm Water Coordinator at (515)281-7017.