



Division of Energy, Mineral and Land Resources
Land Quality Section
 National Pollutant Discharge Elimination System
NO EXPOSURE CERTIFICATION for Exclusion
NCGNE0000

FOR AGENCY USE ONLY		
Date Received		
Year	Month	Day
Certificate of Coverage		
N	C	G
N	E	0
0	0	0

National Pollutant Discharge Elimination System application for exclusion from a Stormwater Permit based on NO EXPOSURE:

Submission of this No Exposure Certification constitutes notification that your facility does not require a permit for stormwater discharges associated with industrial activity in the State of North Carolina because it qualifies for a no exposure exclusion. A condition of no exposure at an industrial facility means all industrial materials and activities are protected by a storm resistant shelter (with some exceptions) to prevent exposure to rain, snow, snowmelt, and/or runoff.

For permitted facilities in North Carolina, DEMLR must approve your application for No Exposure Certification before this exclusion is effective. Until you are issued a No Exposure Certification and your NPDES permit is rescinded, your facility must continue to abide by the terms and conditions of the current permit.

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 with locked or non-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).

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, you certify that a condition of no exposure exists at this facility or site and are obligated to comply with the terms and conditions of 40 CFR 122.26(g).

If approved, your conditional no-exposure exclusion must be self re-certified at least annually.

Please see information here: <http://portal.ncdenr.org/web/lr/npdes-stormwater>

For questions, please contact the DEMLR Regional Office for your area. (See page 6)

(Please print or type)

1) Mailing address of owner/operator (address to which all certification correspondence will be mailed):

Name _____

Contact _____

Street Address _____

City _____ State _____ ZIP Code _____

Telephone No. _____ Fax: _____

NCGNE0000 No Exposure Certification

2) Location of facility producing discharge:

Facility Name _____
Facility Contact _____
Street Address _____
City _____ State _____ ZIP Code _____
County _____
Telephone No. _____ Fax: _____

3) Physical location information:

Please provide a narrative description of how to get to the facility (use street names, state road numbers, and distance and direction from a roadway intersection). _____

(A copy of a map with the facility clearly located on it should be included with the certification application.)

4) Is the facility located on Native American Lands? Yes No

5) Is this a Federal facility? Yes No

6) Latitude _____ Longitude _____ (deg., min., seconds)

7) This NPDES No Exposure Exclusion application applies to which of the following:

- New or Proposed Facility Date operation is to begin _____
- Existing Date operation began _____
- Renewal of existing No Exposure Certification Certification No.: NCGNE _____

8) Was this facility or site ever covered under an NPDES Stormwater Permit? Yes No

If yes, what is the NPDES Permit Number? _____

9) Standard Industrial Classification:

Provide the 4 digit Standard Industrial Classification Code (SIC Code) that describes the primary industrial activity at this facility

SIC Code: ____ ____ ____ ____

10) Provide a brief description of the types of industrial activities and products produced at this facility:

11) Does this facility have any Non-Discharge permits (ex: recycle permits)?

- No
- Yes

If yes, list the permit numbers for all current Non-Discharge permits for this facility: _____

NCGNE0000 No Exposure Certification

Exposure Checklists (12. - 14.)

12) 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 items, you are not eligible for the no exposure exclusion.

- a. 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 N/A
- b. Materials or residuals on the ground or in stormwater inlets from spills/leaks Yes No N/A
- c. Materials or products from past industrial activity Yes No N/A
- d. Material handling equipment (except adequately maintained vehicles) Yes No N/A
- e. Materials or products during loading/unloading or transporting activities Yes No N/A
- f. 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 N/A
- g. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers Yes No N/A
- h. Materials or products handled/stored on roads or railways owned or maintained by the discharger Yes No N/A
- i. Waste material (except waste in covered, non-leaking containers [e.g., dumpsters]) Yes No N/A
- j. Application or disposal of process wastewater (unless otherwise permitted) Yes No N/A
- k. 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 N/A
- l. Empty containers that previously contained materials that are not properly stored (i.e., not closed and stored upside down to prevent precipitation accumulation) Yes No N/A
- m. For any exterior ASTs, as well as drums, barrels, tanks, and similar containers stored outside, has the facility had any releases in the past three (3) years? Yes No N/A

13) Above Ground Storage Tanks (ASTs): If you answer “No” to any of the following items, you are not eligible for the no exposure exclusion.

- a. Are exterior ASTs or piping free of rust, damaged or weathered coating, pits, or deterioration, or evidence of leaks? Yes No N/A
- b. Is secondary containment provided for all exterior ASTs? If so, is it free of any cracks, holes, or evidence of leaks, and are drain valves maintained locked shut? Yes No N/A

NCGNE0000 No Exposure Certification

14) Secondary Containment: If you answer “No” to any of the following items, you are not eligible for the no exposure exclusion.

- a. Is secondary containment provided for single above ground storage containers (including drums, barrels, etc.) with a capacity of more than 660-gallons? Yes No N/A
- b. Is secondary containment provided for above ground storage containers stored in close proximity to each other with a combined capacity of more than 1,320-gallons? Yes No N/A
- c. Is secondary containment provided for Title III Section 313 Superfund Amendments and Reauthorization Act (SARA) water priority chemicals*? Yes No N/A
- d. Is secondary containment provided for hazardous substances** designated in 40 CFR §116? Yes No N/A
- e. Are release valves on all secondary containment structures locked? Yes No N/A

15) Hazardous Waste:

- a. Is this facility a Hazardous Waste Treatment, Storage, or Disposal Facility? Yes No N/A
- b. Is this facility a Small Quantity Generator (less than 1000 kg. of hazardous waste generated per month) of hazardous waste? Yes No N/A
- c. Is this facility a Large Quantity Generator (1000 kg. or more of hazardous waste generated per month) of hazardous waste? Yes No N/A

If you answered yes to questions b. or c., please provide the following information:

Type(s) of waste: _____
How is material stored: _____
Where is material stored: _____
How many disposal shipments per year: _____
Name of transport / disposal vendor: _____
Vendor address: _____

Footnotes to Questions 14) c. & d.

*Note that amounts below the 660-gallon (single) and 1,320-gallon (combined) bulk storage minimums require secondary containment. However, some exceptions may be made for de minimis amounts of certain substances, and/or other qualifiers, as described in the exemptions from reporting requirements of Title III SARA 313 in 40 CFR §372.38.

**Note that amounts below the 660-gallon (single) and 1,320-gallon (combined) bulk storage minimums require secondary containment. However, some exceptions may be made for amounts less than the Reportable Quantities of the hazardous substances listed in 40 CFR §117.3.

NCGNE0000 No Exposure Certification

16) Other information: If you answer “Yes” to any of the following items, you might not be eligible for the no exposure exclusion. A more in-depth evaluation of the site circumstances may be required.

- a. Does your facility store used, recycled, or otherwise reclaimed pallets outside? Yes No N/A
- b. Does your facility have coal piles on site? Yes No N/A
- c. Does your facility store other fuel sources outside in piles, such as wood chips, sawdust, etc.? Yes No N/A
- d. Does your facility have air emissions associated with its industrial activity (e.g., degreasing operations, plating, painting and metal finishing)? If so, describe the industrial activity: _____ Yes No N/A
- e. If you answered yes to d., are those emissions permitted by an Air Quality Permit? Please specify: _____ Yes No N/A

f. Please list any other environmental program permits (federal, state, etc.) not specified earlier in this application (such as Hazardous Waste Permits, etc.):

- Permit: _____, Program: _____

NCGNE0000 No Exposure Certification

17) Certification:

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 (5) years to the North Carolina Division of Water Quality 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 North Carolina Division of Water Quality, 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.

In the event that the site no longer qualifies for a No Exposure Exclusion, 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.

I certify that I am familiar with the information contained in this application and that to the best of my knowledge and belief such information is true, complete, and accurate.

Printed Name of Person Signing: _____

Title: _____

(Signature of Applicant)

(Date Signed)

Please note: This application for the No Exposure Exclusion is subject to approval by the NCDENR Regional Office prior to issuance. The Regional Office may inspect your facility for compliance with no exposure conditions prior to that approval. The Regional Office may also inspect your facility at any time in the future for compliance with the No Exposure Exclusion.

North Carolina General Statute 143-215.6 B(i) provides that:

Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this Article or a rule implementing this Article; or who knowingly makes a false statement of a material fact in a rulemaking proceeding or contested case under this Article; or who falsifies, tampers with, or knowingly renders inaccurate any recording or monitoring device or method required to be operated or maintained under this Article or rules of the [Environmental Management] Commission implementing this Article shall be guilty of a Class 2 misdemeanor which may include a fine not to exceed ten thousand dollars (\$10,000).

There is currently no fee for a No Exposure Exclusion.

NCGNE0000 No Exposure Certification

Final Checklist

This application should include the following items:

- This completed application and all supporting documentation.
- A map with the location of the facility clearly marked.
- If the site currently has an NPDES Stormwater Permit, be sure to indicate the permit number in Question 8.

Mail the entire package to:

Stormwater Permitting Unit Program
Division of Energy, Mineral and Land Resources
1612 Mail Service Center
Raleigh, North Carolina 27699-1612

Note

The submission of this document does not guarantee the issuance of a No Exposure Exclusion.

For questions, please contact the DEMLR Regional Office for your area.

DEMLR Regional Office Contact Information:

Asheville Office (828) 296-4500
Fayetteville Office ... (910) 433-3300
Mooresville Office ... (704) 663-1699
Raleigh Office (919) 791-4200
Washington Office ... (252) 946-6481
Wilmington Office ... (910) 796-7215
Winston-Salem (336) 771-5000
Central Office(919) 807-6300

