

FOR AGENCY USE ONLY

NCGNE _____

Assigned to: _____

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**Division of Energy, Mineral, and Land Resources
National Pollutant Discharge Elimination System
No Exposure Certification for Exclusion
NCGNE0000**

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. 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 industrial materials stored in the following container types, provided the containers are not deteriorated and do not leak:

- drums,
- barrels,
- tanks, and
- similar containers.

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 Until you are issued a No Exposure Certification and your NPDES permit is rescinded, your facility must continue to abide by the terms and conditions of the current permit.

A No Exposure Certification must be provided for each facility qualifying for the no exposure exclusion. Additionally, 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 Certification has no expiration date but must be self-recertified at least annually. Please look for information about recertification under the No Exposure section on this page: <https://deq.nc.gov/about/divisions/energy-mineral-land-resources/npdes-no-exposure>.

Directions: Print or type all entries on this application form. Send the original, signed application to: **NCDEMLR Stormwater Program, 1612 MSC, Raleigh, NC 27699-1612**. The submission of this form does not guarantee exclusion from NPDES stormwater permitting. Prior to exclusion from NPDES stormwater permitting a site inspection will be conducted.

1. Owner/Operator (to whom all permit correspondence will be mailed):

Name of legal organizational entity:		Legally responsible person (as signed in Item 7 below):	
Street address:		City:	State
Telephone number:		Email address:	
Type of Ownership: Government <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> Municipal <input type="checkbox"/> State Non-government <input type="checkbox"/> Business (If ownership is business, a copy of NCSOS report must be included with this application) <input type="checkbox"/> Individual			

2. Industrial Facility (facility requesting exclusion):

Facility name:		Facility environmental contact:	
Street address:		Telephone number:	
Email address:			
City	County	State	Zip Code
Latitude of entrance: Longitude of entrance:			
Parcel Identification Number (PIN):			
Date operation began:		Standard Industrial Classification (SIC) Code:	
Brief description of the types of industrial activities and products produced at this facility:			

3. Consultant (if applicable):

Name of consultant:		Consulting firm:	
Street address:		City:	State and zip code:
Telephone number:	Email address:		

4. Exposure Checklists

Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future? If you answer "Yes" to any of these items, you are not eligible for the no exposure exclusion.

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"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Materials or residuals on the ground or in stormwater inlets from spills/leaks	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Materials or products from past industrial activity	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Material handling equipment (except adequately maintained vehicles)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Materials or products during loading/unloading or transporting activities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Materials contained in open, deteriorated, non-sealed ¹ , or leaking storage drums barrels, tanks, and similar containers	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Materials or products handled/stored on roads or railways owned or maintained by the discharger	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Final products that would be mobilized in stormwater discharges (e.g., rock salt)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Waste material (except waste in covered, non-leaking containers [e.g., dumpsters])	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Application or disposal of process wastewater (unless otherwise permitted)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Empty containers that previously contained materials that are not properly stored (i.e., not closed and stored upside down to prevent precipitation accumulation)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

¹Sealed means banded or otherwise secured and with locked or non-operational taps or valves.

Above Ground Storage Tanks (ASTs) and Secondary Containment

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

Are exterior ASTs or piping free of rust, damaged or weathered coating, pits, or deterioration, or evidence of leaks?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Is secondary containment provided for single above ground storage containers (including drums, barrels, etc.) with a capacity of more than 660-gallons?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Is secondary containment provided for Title III Section 313 Superfund Amendments and Reauthorization Act (SARA) water priority chemicals?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Is secondary containment provided for hazardous substances designated in 40 CFR §116?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Are release valves on all secondary containment structures locked?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

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.

Are vehicles used in material handling in disrepair and/or leaking fluid?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Does this facility store used, recycled, or otherwise reclaimed pallets outside?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Does this facility have coal piles on site?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Does this facility store other fuel sources outside in piles, such as wood chips, sawdust, etc.?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

<p>Does this facility have air emissions associated with industrial activity (e.g., degreasing operations, plating, painting, or metal finishing)?</p> <p><i>If yes:</i></p> <p>Describe the industrial activity:</p> <p>Are those emissions permitted by an Air Quality Permit? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please specify:</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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5. Other Facility Conditions (check all that apply and explain accordingly):

<input type="checkbox"/> This facility has other NPDES permits. If checked, list the permit numbers for all current NPDES permits:
<input type="checkbox"/> This facility has Non-Discharge permits (e.g. recycle permit). If checked, list the permit numbers for all current Non-Discharge permits:
<input type="checkbox"/> This facility stores hazardous waste in the 100-year floodplain. If checked, describe how the area is protected from flooding:
<input type="checkbox"/> This facility is a (mark all that apply) <ul style="list-style-type: none"> <input type="checkbox"/> Hazardous Waste Generation Facility <input type="checkbox"/> Hazardous Waste Treatment Facility <input type="checkbox"/> Hazardous Waste Storage Facility <input type="checkbox"/> Hazardous Waste Disposal Facility <p>If checked, indicate:</p> <ul style="list-style-type: none"> • Kilograms of waste generated each month: • Type(s) of waste: • How material is stored: • Where material is stored: • Number of waste shipments per year: • Name of transport/disposal vendor: • Transport/disposal vendor EPA ID: • Vendor address:
<input type="checkbox"/> This facility is located on a Brownfield or SUPERFUND site. If checked, briefly describe the site conditions:
<input type="checkbox"/> This facility is located on Native American Lands.

6. Required Items (Application will be returned unless all of the following items have been included):

<input type="checkbox"/> Copy of most recent Annual Report to the NC Secretary of State (if applicable)
<input type="checkbox"/> This completed application and any supporting documentation
<input type="checkbox"/> Copy of county map or USGS quad sheet with the location of the facility clearly marked

7. Applicant Certification

North Carolina General Statute 143-215.6B (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 . . . shall be guilty of a Class 2 misdemeanor which may include a fine not to exceed ten thousand dollars (\$10,000). I hereby request exclusion from NPDES stormwater permitting.

Under penalty of law, I certify that:

- I am the person responsible for the industrial activity, for satisfying the requirements of this exclusion, and for any civil or criminal penalties incurred due to violations of this exclusion.
- I have read and understand the eligibility requirements for claiming a condition of “no exposure” and obtaining an exclusion from NPDES stormwater permitting.
- 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 maintain no exposure conditions and complete a Self-Recertification form at least once each year and, if requested, provide this certification 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 Energy, Mineral, and Land Resources, or MS4 operator where applicable, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request. I understand I must keep a copy of annual recertifications on file at the facility.
- I understand that in the event that the site no longer qualifies for a No Exposure Exclusion that I must obtain coverage under an NPDES permit prior to any point source discharge of stormwater from the facility.
- The information submitted in this NOI is, to the best of my knowledge and belief, true, accurate, and complete based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information.

Printed Name of Person Signing:

Title:

Signature of Applicant

Date Signed

Mail the entire package to: DEMLR – Stormwater Program
Department of Environmental Quality
1612 Mail Service Center
Raleigh, NC 27699-1612