



State of Georgia  
Department of Natural Resources  
**INDUSTRIAL NO EXPOSURE  
EXCLUSION CERTIFICATION FORM**  
for Exclusion from  
**NPDES General Permit No. GAR000000**  
for Storm Water Discharges Associated with Industrial Activity

Submission of this Industrial No Exposure Certification form constitutes notice that the entity identified in Section A does not require permit authorization for storm water discharges associated with industrial activity in the State of Georgia under NPDES General Permit No. GAR000000 due to the existence of a condition of No Exposure at the referenced facility.

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 and 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, etc.)
- Manufacturing buildings, provided that material in the building is not exposed to storm water, that the exterior of the building is properly maintained (cleaned of any spilled materials, etc.), and that no industrial materials are exposed to storm water on the building roof.

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

By signing and submitting this Industrial No Exposure Exclusion Certification form, the entity in Section A is certifying that a condition of No Exposure exists at the referenced facility or site and is obligated to comply with the terms and conditions of 40 CFR 122.26(g).

**Note:** Industrial facilities classified under Category X (see NPDES General Permit No. GAR000000, Appendix A, "Storm Water Associated With Industrial Activity") that have previously been exempt from storm water permitting due to no exposure are now required to submit this form to obtain the Industrial No Exposure Exclusion.

ALL INFORMATION MUST BE PROVIDED ON THIS FORM.

Detailed instructions for completing this form and obtaining the No Exposure Exclusion are provided on pages 4 and 5.

**A. FACILITY OPERATOR INFORMATION**

NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

MAILING ADDRESS: STREET: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

**B. FACILITY/SITE LOCATION INFORMATION**

1. FACILITY NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

2. STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COUNTY: \_\_\_\_\_



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ON-SITE FACILITY CONTACT: NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

PHONE: \_\_\_\_\_

3. Is the facility located on Indian lands? YES: \_\_\_\_\_ NO: \_\_\_\_\_

4. Is this a Federal facility? YES: \_\_\_\_\_ NO: \_\_\_\_\_

5. Latitude (deg/min/sec): \_\_\_\_\_ Longitude (deg/min/sec): \_\_\_\_\_

6. a. Was the facility or site previously covered under NPDES General Permit No. GAR000000 for storm water discharges associated with industrial activity?

YES: \_\_\_\_\_ NO: \_\_\_\_\_

b. Is the facility, or any portion thereof, covered under any other NPDES permits? YES: \_\_\_\_\_ NO: \_\_\_\_\_

PERMIT NO (if applicable): \_\_\_\_\_

7. SIC CODES: Primary: \_\_\_\_\_ Secondary (if applicable): \_\_\_\_\_

AND / OR Hazardous Waste TSD  Landfill  Wastewater Treatment  Power Generation

8. Total size of site associated with industrial activity: \_\_\_\_\_ acres

9. a. Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the No Exposure Certification?

YES: \_\_\_\_\_ NO: \_\_\_\_\_

b. 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, this information may be used 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

### C. 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 the following questions (1) through (11), then your facility is not eligible for the No Exposure Exclusion.**

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| 1. Using, storing or cleaning industrial machinery or equipment, or areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to storm water | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| 2. Materials or residuals on the ground or in storm water inlets from spills or leaks   | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| 3. Materials or products from past industrial activity  | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| 4. Material handling equipment (except adequately maintained vehicles)  | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| 5. Materials or products during loading/unloading or transporting activities  | YES <input type="checkbox"/> | NO <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             | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| 7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, or similar containers  | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| 8. Materials or products handled/stored on roads or railways owned or maintained by the discharger  | YES <input type="checkbox"/> | NO <input type="checkbox"/> |



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9. Waste material (except waste in covered, non-leaking containers [e.g. lidded dumpsters]) 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. ADDITIONAL REQUIREMENTS**

Facilities that claim the Industrial No Exposure Exclusion (NEE) are exempt from storm water permitting as long as the condition of No Exposure is maintained and, therefore, are not required to submit a Notice of Intent (NOI) for coverage under NPDES General Permit No. GAR000000 for Storm Water Discharges Associated with Industrial Activity. Permitted facilities that are able to meet the requirements for the No Exposure Exclusion at a later date will, after submitting the Industrial NEE Certification form, no longer be authorized by or required to comply with the General Permit. Submittal of a Notice of Termination is not required prior to submittal of the Industrial NEE Certification form.

Owners and operators of facilities for which a NEE Certification form is submitted shall conduct quarterly inspections to ensure that a condition of No Exposure is maintained at the facility. The results of each such inspection shall be documented and maintained at the facility and available to EPD upon request. If an inspection shows that a condition of No Exposure does not exist, then the facility must be restored to a condition of No Exposure by implementing appropriate remedial measures within thirty (30) days of the inspection, or the facility owner or operator must submit a Notice of Intent (NOI) for coverage under the General Permit by the end of that thirty (30) day period and must thereafter comply with the conditions of the permit. The Director may revoke NEE status for any facility that does not adequately demonstrate that it complied or continues to comply with the NEE requirements.

**E. 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 an Industrial No Exposure Exclusion Certification form to EPD once every five years 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 EPD or an authorized representative of EPA, the State, or the local 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.

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 upon 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.

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



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**INSTRUCTIONS**

**Who may file a No Exposure Certification?**

Federal Law at 40 CFR Part 122.26 prohibits point source discharges of storm water associated with industrial activity to waters of the U.S. without 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 or site.

Storm water discharges from construction activities described in 40 CFR 122.26(b)(14)(x) and (b)(15) are not eligible for the No Exposure Exclusion.

**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 the referenced facility or site in order for the No Exposure Exclusion to remain applicable. If conditions change resulting in the exposure of materials and/or activities to storm water, the facility operator must obtain coverage under an NPDES storm water permit immediately.

**The completed No Exposure Certification should be submitted to the following address via return receipt/certified mail:**

Georgia Environmental Protection Division  
NonPoint Source Program  
4220 International Parkway, Suite 101  
Atlanta, Georgia 30354

**Completing the Form**

One form must be completed for each facility seeking to certify a condition of No Exposure. The form must be neatly printed or typed. Any No Exposure Certification form that contains illegible information will not be accepted. The certification must be filled out completely in order to be accepted as a valid submittal. Information requested on the form that is not applicable to the owner/operator of the facility must be marked "N/A". Please do not leave any blanks. A copy of the completed, signed form should be retained for your records.

**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 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 facility is located on Indian lands.
4. Indicate whether the industrial facility is operated by a department or agency of the Federal Government.
5. Enter the latitude and longitude of the approximate center of the facility or site in degrees/minutes/seconds. Latitude and longitude can be obtained using a handheld GPS unit, from the United States Geological Survey (USGS) quadrangle or topographic maps, by calling 1-(888) ASK-USGS, or by accessing an internet mapping website, such as <http://www.terraserver.com>.

Latitude and longitude for a facility in decimal form must be converted to degrees (<sup>o</sup>), minutes (<sup>"</sup>), and seconds (<sup>"</sup>) for proper entry on the certification form. To convert decimal latitude or longitude to degrees/minutes/seconds, follow the steps in the following example.

Example: Convert decimal latitude 45.1234567 to degrees (<sup>o</sup>), minutes (<sup>"</sup>), and seconds (<sup>"</sup>).

- (a). The numbers to the left of the decimal point are the degrees.
- (b). To obtain minutes, multiply the first four numbers to the right of the decimal point by 0.006:  
 $1234 \times 0.006 = 7.404$ .
- (c). The numbers to the left of the decimal point in the result obtained in (b) are the minutes: 7".
- (d). To obtain seconds, multiply the remaining three numbers to the right of the decimal point from the result obtained in (b) by 0.006:  $404 \times 0.006 = 24.24$ . Since the numbers to the right of the decimal point are not used, the result is 24".
- (e). Therefore degrees/minutes/seconds conversion for 45.1234567 is: 45<sup>o</sup> 7' 24"



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6. Indicate whether the facility was previously covered under the NPDES General Permit for storm water discharges associated with industrial activity.

7. Enter the 4-digit SIC code which identifies the facility's primary activity, and second 4-digit SIC code identifying the facility's secondary activity, if applicable. SIC codes can be obtained from the Standard Industrial Classification Manual, 1987 or by accessing <http://www.osha.gov/oshstats/sicser.html>

8. 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 ft<sup>2</sup> to acres

Divide 54,450 ft<sup>2</sup> by 43,560 ft<sup>2</sup> per acre:

54,450 ft<sup>2</sup> / 43,560 ft<sup>2</sup> per acre = 1.25 acres

9. 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 parking lot) in order to qualify for No Exposure. If yes, indicate the approximate area that was paved, roofed over, or otherwise rendered impervious.

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 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;
- (iii) For a partnership or sole proprietorship: by a general partner or the proprietor; or
- (iv) For a municipal, State, Federal, or other public facility: by either a principal executive or ranking elected official.

**Section C. No 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 the NPDES General Permit No. GAR000000 for storm water discharges associated with industrial activities. After obtaining permit coverage, the facility may 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. Additional Requirements**

This section contains additional instructions and inspection/recordkeeping requirements for facilities claiming the Industrial No Exposure Exclusion.

**Section E. 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:

**Additional Information and Guidance**

Additional technical guidance may be obtained by accessing the U.S. EPA's NPDES web site.

Select the "Publications" option and search for guidance documents by typing in the keyword "No Exposure". Please note that the documents on this web site were developed to support EPA's No Exposure Exclusion in those states where EPA is the NPDES issuing authority. Facilities in the State of Georgia that wish to obtain the No Exposure Exclusion must submit the form you are now reading instead of the EPA form contained on the web site. EPA's No Exposure Exclusion forms will not be accepted by the Georgia Environmental Protection Division. However, the technical information in EPA's No Exposure guidance documents may be a valuable resource in determining whether your facility qualifies for Georgia's Industrial No Exposure Exclusion.