

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
Office of Environmental Services, Water Permits Division
Post Office Box 4313
Baton Rouge, LA 70821-4313
PHONE#: (225) 219-3181

**LPDES NO EXPOSURE CERTIFICATION FOR EXCLUSION
FROM LPDES STORM WATER PERMITTING**

(Attach additional pages if needed.)

Submission of this No Exposure Certification constitutes that the entity identified below in Section I does not require permit authorization for its storm water discharges associated with industrial activity in Louisiana, as defined in:

LAC 33:IX.2511.B, due to the existence of a condition of no exposure, in accordance with the provisions of LAC 33:IX.2511.G.

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 submitted for each facility qualifying for the no exposure exclusion. In addition, the exclusion from LPDES storm water permitting is available on a facility-wide basis only, not for individual outfalls. **A facility is not eligible for the no exposure exclusion if it has standard industrial classification (SIC) codes and or industrial activity codes that are not applicable to those listed in Table 1 of the Multi-Sector General Permit (MSGP) and if any of its industrial activities or materials are or will be exposed to precipitation.**

By signing and submitting this No Exposure Certification form, the entity in Section I is certifying that a condition of no exposure exists at its facility or site, and is obliged to comply with the terms and conditions of LAC 33:IX.2511.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 4-5.

SECTION I - FACILITY INFORMATION

A. No Exposure Certification is to be issued to the following: (must have operational control over the facility operations - see LAC 33:IX.2501.B and LAC 33:IX.2503.A and B).

1. Legal Name of Applicant (Company, Partnership, Corporation, etc.) _____

Facility Name _____

Mailing Address _____

_____ Zip Code: _____

Phone Number _____

If applicant named above is not also the owner, state owner name, phone # and address.

Please check status: Federal Parish Municipal
 State Public Private Other: _____

2. Location of facility. Please provide a specific address, street, road, highway, interstate, and/or River Mile/Bank location of the facility for which the NOI is being submitted.

City _____ Zip Code: _____ Parish _____

Front Gate Coordinates:

Latitude- ____deg. ____min. ____sec. Longitude- ____deg. ____min. ____sec.

Method of Coordinate Determination: _____
(Quad Map, Previous Permit, website, GPS)

3. Was or is this facility or site covered under an LPDES permit? Yes No

If yes, enter the LPDES permit number(s): _____

4. SIC/Storm Water Activity Codes applicable to facility (No exposure exclusion limited to codes listed in Table 1 of MSGP.):

Primary Code _____ Secondary Codes _____

SIC codes can be obtained from the U. S. Department of Labor internet site at <http://www.osha.gov/oshstats/sicser.html>

5. Provide the total size of the site associated with the industrial activity: _____Acres

6. 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.

Less than one acre One to five acres More than five acres

Completing this question does not disqualify you for the no exposure exclusion. However, your permitting authority 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.

SECTION II – EXPOSURE CHECKLIST

A. Are any of the following materials or activities at the facility or site exposed to precipitation, now or in the foreseeable future? (Check Yes or No in the appropriate box.) If Yes is the answer to any of the items below, the facility is not eligible for the no exposure exclusion.

1. Yes No 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.
2. Yes No Materials or residuals on the ground or in storm water inlets from spills/leaks.
3. Yes No Materials or products from past industrial activity.
4. Yes No Material handling equipment (except adequately maintained vehicles).
5. Yes No Materials or products during loading/unloading or transporting activities.
6. Yes No 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.
7. Yes No Materials contained in open, deteriorated or leaking storage drums, barrels, tanks or similar containers.
8. Yes No Materials or products handled/stored on roads or railways owned or maintained by the discharger.
9. Yes No Waste Material (except waste in covered, non-leaking containers (e.g., dumpsters).
10. Yes No Application or disposal of process wastewater (unless otherwise permitted).
11. Yes No 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.
12. Yes No Had a reportable quantity spill since 1987?

SECTION III – 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 LPDES 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 LAC 33:IX.2511.G.2).

I understand that I am obligated to submit a no exposure certification form once every five years to the state 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 state 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 LPDES 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 sure 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.

Signature _____

Printed Name _____

Title _____

Company _____

Date _____

SECTION IV – INSTRUCTIONS FOR THE NO EXPOSURE CERTIFICATION FOR EXCLUSION FROM LPDES STORM WATER PERMITTING

Who may file a No Exposure Certification?

The Louisiana Administrative Code, at LAC 33:IX.2511 prohibits point source discharges of storm water associated with industrial activity to waters of the state without a Louisiana Pollutant Discharge Elimination System (LPDES) permit. However, LPDES coverage is not required for discharges of storm water associated with industrial activities identified at LAC 33:IX.2511.B.14.a-l, and k 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 LAC 33:IX.2511.B.14.j 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 is only applicable in the state of Louisiana and 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 LPDES storm water permit immediately.

Where to File the No Exposure Certification Form

Mail the completed form to the following address:

Department of Environmental Quality
Office of Environmental Services
Water Permits Division
Post Office Box 4313
Baton Rouge, LA 70821-4313

Section I. Facility 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.

Enter the official or legal name of the facility or site.

Provide the telephone number of the facility operator.

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.

If applicant named above is not also the owner, state owner name, address and phone number.

Check the appropriate facility status box.

2. Enter the complete street address or geographic description (e.g., Intersection of Routes 9 and 55) if no street address exists, city, parish, state, and zip code. Do not use a P.O. Box number.

Enter the latitude and longitude of the front gate or entrance of the facility or site in degrees/minutes/seconds, and indicate the method of coordinate determination. These coordinates can be obtained using a United States Geological Survey (USGS) quadrangle or topographic map, a Global Positioning System (GPS) unit, LDEQ's website or any other map website, facility's previous permit, etc. Call the USGS for maps at 1(888) ASK-USGS, or access maps online at <http://map.deq.state.la.us/index2.htm> or www.topozone.com.

Latitude and longitude for a facility in decimal form must be converted to degrees (°), minutes ('), and seconds (") for proper entry on the certification form. To convert decimal latitude or longitude to degrees/minutes/seconds, follow the steps in the example below:

Example: Convert decimal latitude 45.1234567 to degrees (°), minutes ('), and seconds (").

- a) The numbers to the left of the decimal point are the degrees: 45°.
 - 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 from the result obtained in (b) by 0.06: $404 \times 0.06 = 24.24$. Since the numbers to the right of the decimal point are not used, the result is 24".
 - e) The conversion for $45.1234567 = 45^\circ 7' 24''$
3. Indicate whether the facility is currently or was previously covered under an LPDES permit. If so, include the permit number.
4. Enter the 4-digit SIC code(s) for the facility's primary and, if applicable, secondary code(s). **If the facility's SIC code is not listed in Table 1 of the MSGP, then the facility is not eligible for no exposure exclusion.** SIC codes can be obtained from the Standard Industrial Classification Manual, 1987.
5. 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: $54,450 \text{ ft}^2 \div 43,560 \text{ ft}^2/\text{acre} = 1.25$ acres.

9. Check Yes or No as appropriate to indicate whether you have paved or roofed a formerly exposed, pervious area (i.e., lawn, meadow, dirt or gravel road/parking lot) in order to qualify for no exposure. If yes, indicate approximately how much area was paved or roofed.

Section II. Exposure Checklist

Check Yes or No in the appropriate boxes to address the exposure conditions to precipitation at the facility. **If Yes is the response to any of the 12 questions in this section, then the facility is not eligible for the no exposure exclusion from LPDES storm water permitting because a potential for exposure exists at the site, and LPDES storm water permit coverage is required.** Once permit coverage has been obtained and the potential for exposure of industrial activities to precipitation is eliminated, the entity may certify that the facility meets the condition of no exposure, and a completed no exposure certification form can be submitted for the facility.

Section III. Certification Statement

LPDES 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 employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if 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.