



# NO EXPOSURE CERTIFICATION

for Exclusion from AZPDES Stormwater Permitting

**A COMPLETE AND ACCURATE FORM MUST BE SUBMITTED TO:**  
Arizona Department of Environmental Quality; Surface Water Section / Stormwater Program  
1110 West Washington, 5415A-1; Phoenix, Arizona 85007  
FAX: (602) 771-4528

Operators who submit this No Exposure Certification are giving ADEQ notice that their facility does not require permit authorization for stormwater discharges associated with industrial activity 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 that prevents 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 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 AZPDES 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 in Section A is certifying that a condition of no exposure exists at its facility or site, 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

- Operator Business Name: \_\_\_\_\_
- Mailing Address: \_\_\_\_\_ 3a. Phone: \_\_\_\_\_  
\_\_\_\_\_ 3b. Fax: \_\_\_\_\_  
City: \_\_\_\_\_ State: |\_\_| |\_\_| Zip Code: \_\_\_\_\_
- Operator Contact Name: \_\_\_\_\_
- E-mail: \_\_\_\_\_

## B. FACILITY/SITE LOCATION INFORMATION

- Facility Contact Name: \_\_\_\_\_ 2. Title: \_\_\_\_\_
- Phone: \_\_\_\_\_ Fax: \_\_\_\_\_
- Facility Name: \_\_\_\_\_
- Facility address or site physical location: \_\_\_\_\_  
\_\_\_\_\_  
City: \_\_\_\_\_ State: |\_\_| |\_\_| Zip Code: \_\_\_\_\_  
County: \_\_\_\_\_
- Facility status: Federal \_\_\_\_ State \_\_\_\_ Other Public \_\_\_\_ Private \_\_\_\_ Tribal \_\_\_\_
- Provide the latitude and longitude of the approximate center of the facility or site in degrees/minutes/seconds:  
Latitude: |\_\_| |\_\_| ° |\_\_| |\_\_| ' |\_\_| |\_\_| " Longitude: |\_\_| |\_\_| ° |\_\_| |\_\_| ' |\_\_| |\_\_| "  
(Degrees, minutes, seconds) (Degrees, minutes, seconds)
- Was the facility or site previously covered under an NPDES stormwater permit? \_\_\_\_ YES \_\_\_\_ NO  
If yes, enter the NPDES tracking number or AZPDES permit number: \_\_\_\_\_
- The 4-digit Standard Industrial Classification (SIC) codes or the 2-letter Activity Codes that best represent the principal products produced or services rendered by your facility and major co-located activities:  
Primary SIC: |\_\_| |\_\_| |\_\_| |\_\_| Secondary SIC (if applicable): |\_\_| |\_\_| |\_\_| |\_\_| OR Activity Code: |\_\_| |\_\_|

**B. FACILITY/SITE LOCATION INFORMATION — CONTINUED**

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

10. 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. Completing this question does not disqualify you for the no exposure exclusion. However, ADEQ may use this information in considering whether stormwater 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".) **A "yes" answer to any of these questions (1) through (11) means the facility is not eligible for the no exposure exclusion.**

|  | YES   | NO    |
|--|-------|-------|
| 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 stormwater. | _____ | _____ |
| 2. Materials or residuals on the ground or in storm water inlets from spills/leaks.  | _____ | _____ |
| 3. Materials or products from past industrial activity.  | _____ | _____ |
| 4. Material handling equipment (except adequately maintained vehicles).  | _____ | _____ |
| 5. Materials or products during loading/unloading or transporting activities.  | _____ | _____ |
| 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).           | _____ | _____ |
| 7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers.   | _____ | _____ |
| 8. Materials or products handled/stored on roads or railways owned or maintained by the discharger.  | _____ | _____ |
| 9. Waste material (except waste in covered, non-leaking containers [e.g., dumpsters]).   | _____ | _____ |
| 10. Application or disposal of process wastewater (unless otherwise permitted).  | _____ | _____ |
| 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. | _____ | _____ |

**D. MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) RESPONSIBILITY**

Does your facility discharge stormwater into a Municipal Separate Storm Sewer System (MS4)? \_\_\_\_\_ YES \_\_\_\_\_ NO

If Yes, name the MS4 operator: \_\_\_\_\_

\_\_\_\_\_ If, yes, I certify that I will provide a copy of the No Exposure Certification document to the operator of the local Municipal Separate Storm Sewer System (MS4) into which the facility discharges. I understand that I must allow the AZPDES permitting authority or MS4 operator where the discharge is released into the local MS4 to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request.

**E. CERTIFICATION BY AUTHORIZED SIGNATORY (PER APPENDIX B.9 OF THE PERMIT)**

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 AZPDES stormwater permitting. I understand that I am obligated to submit a no exposure certification form once every five years to the AZPDES permitting authority.

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 must obtain coverage under an AZPDES permit prior to any point source discharge of stormwater from the facility.

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.

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

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

E-Mail Address: \_\_\_\_\_ Phone: \_\_\_\_\_

**Certifier's Address**

Business Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: |\_\_\_\_|\_\_\_\_| Zip Code: \_\_\_\_\_



# INSTRUCTIONS

## for the NO EXPOSURE CERTIFICATION

### for Exclusion from AZPDES Stormwater Permitting

#### Who May File a No Exposure Certification

Federal law at 40 CFR 122.26, which is incorporated by reference under A.A.C. R18-9-A905(A)(1)(c), prohibits point source discharges of stormwater associated with industrial activity to waters of the U.S. without an Arizona Pollutant Discharge Elimination System (AZPDES) permit. However, AZPDES permit coverage is not required for discharges of stormwater associated with industrial activities identified at 40CFR 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.

Stormwater discharges from construction activities identified 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 once every five years.

The industrial facility operator must maintain a condition of no exposure at the 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 stormwater, the facility operator must immediately obtain coverage under an AZPDES stormwater permit.

#### Where to File the No Exposure Certification Form

##### No exposure forms sent by regular mail:

Arizona Department of Environmental Quality  
Surface Water Section / Stormwater Program  
1110 West Washington, 5415A-1  
Phoenix, Arizona 85007

##### No exposure forms sent by facsimile:

(602) 771-4528

#### Completing the Form

Please type or print. You may abbreviate if necessary. One form must be completed for each facility or site for which you are seeking to certify a condition of no exposure. Make sure all applicable questions are addressed and a photocopy is made for your facility records before sending the completed form to the above address. If you have any questions about this form, you may call (602) 771-4632.

#### 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 the 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 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.
3. Provide the telephone and fax numbers of the operator.
4. Provide the name of the individual who will act as a contact for the operator.
5. Provide the e-mail address of the contact person (optional).

#### Section B. Facility/Site Location Information

1. Provide the name and title of the person who is responsible for the terms and conditions of the no exposure exclusion. Persons who meet the contact designation are: president, owner, plant or site manager, general manager, facilities manager, production manager,

safety manager, environmental director, and EHS Director, or someone who performs similar decision-making functions for the facility.

2. Provide the telephone and fax numbers of the responsible person described in Section B-1.
3. Enter the official or legal name of the facility or site.
4. Enter the facility street address (If no street address exists, provide a geographic description of the location of the site.), city, state, zip code, and county. Do not use a P.O. Box number.
5. Indicate the facility status; e.g. federal, state, other public (e.g., municipality, county), or private (see also Section 313 of the Clean Water Act).
6. Enter the latitude and longitude of the approximate center of the facility or site in degrees/minutes/seconds. Latitude and longitude can be obtained by accessing ADEQ's GIS Mapping system at: <http://gisweb.azdeq.gov/arcgis/emaps/?topic=impaired>, from United States Geological Survey (USGS) quadrangle or topographic maps, by calling 1-(888) ASK-USGS, or by accessing the Census Bureau at: <http://www.census.gov/cgi-bin/gazetteer>.

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 following example.

- 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: 07'.
  - 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° 07' 24".
7. Indicate whether the facility was previously covered under a stormwater permit. If so, include the NPDES permit tracking number or AZPDES authorization number.
  8. Enter the 4-digit SIC code or the Activity Code that identifies the facility's primary activity and, if applicable, a second 4-digit SIC code identifying the facility's secondary activity. SIC codes and Activity Codes can be obtained from the Standard Industrial Classification Manual, 1987.
  9. 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 54,560 ft<sup>2</sup> to acres  
Divide 54,450 ft<sup>2</sup> by 43,560 square feet per acre:  
 $54,450 \text{ ft}^2 / 43,560 \text{ ft}^2/\text{acre} = 1.25 \text{ acres}$ .
  10. 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 road/parking lot) in order to qualify for no exposure. If yes, also indicate approximately how much area was paved or roofed over and is now impervious area.

**Section C. Exposure Checklist**

Check “Yes” or “No,” as appropriate, to describe the exposure condition at your facility. A “Yes” answer to **ANY** of the questions (1) through (11) in this section means that a potential for exposure exists at the site and the operator will not be able to certify to a condition of no exposure. Instead, coverage must be obtained under an AZPDES stormwater permit. After obtaining permit coverage, a facility may institute modifications to eliminate the potential for a discharge of stormwater exposed to industrial activity, after which the operator may certify to a condition of no exposure.

**Section D. Municipal Separate Storm Sewer System (MS4) Responsibility**

1. Indicate whether stormwater from the site will be discharged into a municipal separate storm sewer system (MS4). An MS4 is a conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, storm drains, curbs and gutters, ditches and man-made channels, owned or operated by a state, city, town, county, or other public body, used to collect or convey stormwater.

If the answer is “Yes,” identify the name of the MS4 operator on the line provided. For reference, see the list of regulated large and small MS4s below.

2. Provide a copy of the No Exposure Certification document to the MS4 if the site will discharge into the MS4.

**Section E. Certification Statement**

State statutes provide for severe penalties for a violation of any provision listed in A.R.S. §§ 49-261 through 49-163.01.

1. Appendix B.9 of the general permit requires 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, 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.

- 2. Provide the telephone number of the signatory.
- 3. Provide the e-mail address of the signatory (optional).
- 4. Provide the mailing address of the signatory (P.O. Box numbers may be used). Include the city, state, and zip code.

**NOTE:** Operators cannot delegate the responsibility for signature authority to a consultant, agent, or any other third party.

**Municipal Separate Storm Sewer Systems (MS4)**

(Large\* and Small)

Municipal separate storm sewer means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains. A municipal separate storm sewer system is:

- 1. Owned or operated by a state, city, town, district, association, or other public body having jurisdiction over disposal or sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the Clean Water Act that discharges to waters of the United States;
- 2. Designed or used for collecting or conveying stormwater;
- 3. Not a combined sewer; and
- 4. Not part of a Publicly Owned Treatment Works (POTW).

|                                  |                                 |                 |                             |
|----------------------------------|---------------------------------|-----------------|-----------------------------|
| Apache Junction                  | Gilbert                         | Oro Valley      | Tempe*                      |
| Arizona Dept. of Transportation* | Glendale*                       | Paradise Valley | Tolleson                    |
| Avondale                         | Goodyear                        | Peoria          | Tucson*                     |
| Arizona State University         | Guadalupe                       | Phoenix*        | University of Arizona       |
| Camp Verde                       | Lake Havasu                     | Pima County*    | Veterans Hospital – Phoenix |
| Chandler                         | Litchfield Park                 | Pinal County    | Veterans Hospital – Tucson  |
| Coconino County                  | Luke Air Force Base             | Prescott        | Yavapai County              |
| Cottonwood                       | Marana                          | Prescott Valley | Youngtown                   |
| Davis Monthan Air Force Base     | Maricopa County                 | Scottsdale*     | Yuma                        |
| Douglas                          | Marine Corps Air Station – Yuma | Sedona          | Yuma County                 |
| El Mirage                        | Mesa*                           | Sierra Vista    |                             |
| Flagstaff                        | Nogales                         | South Tucson    |                             |
| Fountain Hills                   | Northern Arizona University     | Surprise        |                             |