

**OKC-SWQ**  
**IND-3**  
November 8,  
2017



**Oklahoma City Storm Water Quality Management Division**  
**NO EXPOSURE CERTIFICATION for Exclusion from**  
**Storm Water Quality (SWQ) Permitting**

Submission of this *No Exposure Certification* constitutes notice that the entity identified in Section A does not require permit authorization for its storm water discharges associated with industrial activity in the City of Oklahoma City under EPA's Storm Water Multi-Sector General Permit 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 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 provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from SWQ 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 I. 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.** See completing instructions on page 3 of this form.

**I. Operator Information**

Operator Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Operator's Point of Contact : \_\_\_\_\_ Title: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**II. Facility Location**

Facility Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Facility Address: \_\_\_\_\_  
City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Facility's Point of Contact : \_\_\_\_\_ Title: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_ at the entrance of the Facility.

SWQ Permit Number: \_\_\_\_\_, if your facility has a No Exposure permit with our office.  
SIC Code or 2-digit Activity Code, Primary: \_\_\_\_\_ Sector: \_\_\_\_\_; Secondary: \_\_\_\_\_ Sector: \_\_\_\_\_  
Total size of the site associated with industrial activity: \_\_\_\_\_ acres  
Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the no exposure exclusion?  Yes  No  
If **Yes**, indicate approximately how much area was paved or roofed over: \_\_\_\_\_ acres.

### III. Exposure Checklist

Are any of the following materials or activities exposed to stormwater, now or in the foreseeable future?

**If your answer is Yes to any of these questions, you are not eligible for the No Exposure Exclusion.**

(Please check either **Yes** or **No** in the appropriate box.)

		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	<input type="checkbox"/>	<input type="checkbox"/>
2.	Materials or residuals on the ground or in stormwater inlets from spills/leaks	<input type="checkbox"/>	<input type="checkbox"/>
3.	Materials or products from past industrial activity	<input type="checkbox"/>	<input type="checkbox"/>
4.	Material handling equipment (except adequately maintained vehicles)	<input type="checkbox"/>	<input type="checkbox"/>
5.	Materials or products during loading/unloading or transporting activities	<input type="checkbox"/>	<input type="checkbox"/>
6.	Materials or products stored outdoors (except finished products intended for outside use, e.g., new cars, where exposure to stormwater does not result in the discharge of pollutants)	<input type="checkbox"/>	<input type="checkbox"/>
7.	Materials contained in open, deteriorated, or leaking storage drums, barrels, tanks, and similar containers	<input type="checkbox"/>	<input type="checkbox"/>
8.	Materials or products handled/stored on roads or railways owned or maintained by the discharger	<input type="checkbox"/>	<input type="checkbox"/>
9.	Waste material (except waste in covered, non-leaking containers such as dumpsters)	<input type="checkbox"/>	<input type="checkbox"/>
10.	Application or disposal of process wastewater (unless otherwise permitted)	<input type="checkbox"/>	<input type="checkbox"/>
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 stormwater outflow	<input type="checkbox"/>	<input type="checkbox"/>

### IV. 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 SWQ 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 a no exposure certification form once every five (5) years to the SWQ permitting authority. I understand that I must allow the SWQ permitting authority 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 a SWQ/OPDES 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 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.*

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

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

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

<p>OKC-SWQ IND-3 November 8, 2017</p>		<p align="center"><b>Instructions for Completing OKC SWQ Form IND-3 Oklahoma City Storm Water Quality Management Division NO EXPOSURE CERTIFICATION for Exclusion from Storm Water Quality (SWQ) Permitting</b></p>
<p><b>Who Must File a No Exposure Certification</b></p> <p>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/SWQ 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.</p> <p>Storm water discharges from construction activities identified in 40 CFR 122.26(b)(14)(x) and (b)(15) are not eligible for the "No Exposure Exclusion".</p> <p><b>Obtaining and Maintaining the NEC</b></p> <p>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 for Oklahoma City jurisdiction and must be re-submitted at least once every five years.</p> <p>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/or activities to storm water, the facility operator must obtain coverage under a SWQ discharge permit immediately.</p> <p><b>Completing the NEC Form</b></p> <p>You must type or print in appropriate areas only. One form must be completed for each facility or site for which you are seeking to certify a condition of no exposure. Make sure you complete this form with accurate information, address all applicable questions, and make a copy for your records before submitting the completed form.</p> <p><b>Section I. Operator Information</b></p> <p>Provide the legal name of the firm, public organization, person, or any other entity that operates the facility or site described in this certification form. An operator is the legal entity that controls the facility's operation and is responsible for its day-to-day activity, rather than the plant or site manager. Provide the complete mailing address of the operator, including city, county, state, and ZIP code. Include the operator's point of contact name, title, phone number, and a valid email address.</p> <p><b>Section II. Facility Location</b></p> <p>Enter the official or legal name of the facility or site. Enter the complete physical address of the facility (absolutely no P.O. Boxes) including city, county, state, and ZIP code; in case of no defined address, provide a geographical description (e.g., intersection of NW 23rd St. and N. May Ave.). Include the facility's point of contact information.</p> <p>Enter the latitude and longitude of the approximate center of the facility or site in decimal format (e.g., 35.467653 -97.520493). This can be obtained online at the following website: <a href="http://gis.deq.ok.gov/maps/">http://gis.deq.ok.gov/maps/</a> or via other mapping tools that provide the correct format.</p>		<p>Indicate if the facility was previously covered under an SWQ permit. If so, include the permit number.</p> <p>Enter the four-digit primary SIC code or the Activity Code. Use the Standard Industrial Classification Manual, 1987. Enter the Sector Code (A through AS) under which your facility is permitted.</p> <p>Enter the total size of the facility's site associated with industrial activity, to the nearest tenth of an acre.</p> <p>Check <b>Yes</b> or <b>No</b> as appropriate to indicate if you have paved or roofed over a formerly exposed, pervious area (i.e., lawn, meadow, dirt, or gravel road or parking lot) in order to qualify for no exposure. Indicate how much area (to the nearest quarter of an acre) was paved or roofed.</p> <p><b>Section III. Exposure Checklist</b></p> <p>Check <b>Yes</b> or <b>No</b> as appropriate to describe the exposure condition at your facility. If you answer <b>Yes</b> to any of the questions in this section, a potential for exposure exists at your site and <b>you cannot certify to a condition of no exposure</b>. You must obtain (or already have) coverage under an SWQ/OPDES stormwater permit. After obtaining permit coverage, you can institute modifications to eliminate the potential for a discharge of stormwater exposed to industrial activity, and then certify to a condition of no exposure.</p> <p><b>Section IV. Certification</b></p> <p>The NEC form must be signed as follows:</p> <p><b>For a corporation:</b> by a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of 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;</p> <p><b>For a partnership or sole proprietorship:</b> by a general partner or the proprietor, respectively (Note: for the limited liability company (LLC) - by one of its owners, called managing members/partners of the company);</p> <p><b>For a municipality, state, Federal, or other public facility:</b> by either a principal executive officer or ranking elected official.</p> <p><b>Where to File the NEC Form</b></p> <p>Completed NEC forms must be submitted to the following address:</p> <p>Public Works Department Storm Water Quality Management Division 420 W. Main St., Suite 360 Oklahoma City, OK 73102</p> <p>Or via Fax: 405-297-1770</p> <p align="center"><b>If you have questions, contact SWQ at 405-297-1774.</b></p>