



**Mail form to: Maine Department of Environmental Protection
17 State House Station, Augusta ME 04333-0017**

**No Exposure Certification for Exclusion from
MEPDES Storm Water Permitting**

Submission of this No Exposure Certification constitutes notice that the entity in Section A does not require permit authorization for stormwater discharges associated with industrial activity under Maine's 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, final products and activities are protected by a storm resistant shelter. This shelter prevents the exposure of rain, snow, snowmelt, ice melt and runoff from comingling with the industrial product or activity. 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 MEPDES permitting is available on a facility-wide basis only, and does not include individual outfalls. If 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).

A. Company Information – Legal Name, Billing Address & Identifier

Permit Owner Legal Name		ME State Charter Number	
Billing Address: Street / P.O. Box City-Town / State / Zip			
E-mail address:		Daytime Phone	

B. Facility/Site Information:

1. Facility/Site Name:					
2. Physical Address (Street)					
City/Town:		County:			
3. Latitude: (if known)		Longitude: (if known)			
4. Is the facility? (please check one)	<input type="checkbox"/> Private	<input type="checkbox"/> Tribal	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input type="checkbox"/> Other public entity
5. Was the facility or site previously covered under a MEPDES storm water permit or exclusion?	<input type="checkbox"/> Yes <input type="checkbox"/> No		If yes, enter the MEPDES permit or No Exposure number:		
6. Primary SIC/Activity Code:		Secondary SIC/Activity Code: (if applicable)			

7. Total size of site industrial activity:		Acres	
Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the no exposure exclusion?			
If yes, please indicate approximately how much area was paved or roofed over.	<input type="checkbox"/> Less than 1 acre	<input type="checkbox"/> 1 to 5 acres	<input type="checkbox"/> More than 5 acres
Completing the previous 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.			
8. Does your site's stormwater convey to waters of the State? Waters of the State are classified as rivers, ponds, lakes, wetlands (named or unnamed), vernal pools, bogs, estuaries, streams (named and unnamed), tributaries (named and unnamed), creeks, (named or unnamed), brooks (named and unnamed), shore land, bays and ocean waters.			
C. Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future? (Please write either "Yes" or "No" in the box.) If you answer "Yes" to any of these questions (1) through (11), you are <u>not</u> eligible for the No Exposure exclusion.			
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 stormwater inlets from spills/leaks.			
3. Materials or products from past industrial activity.			
4. Material handling equipment (except adequately maintained vehicles such as power industrial trucks).			
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 stormwater does not result in the discharge or pollutants).			
7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks and similar containers.			
8. Materials or products handled or 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 or vents not otherwise regulated (i.e. under an air quality control permit) and evident in the storm water outflow.			
D. Certification Statement			
I am a responsible official as identified in Section B of this form and by signing below, 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 process 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 to the Maine Department of Environmental Protection and, if requested, to the operator of the local municipal separate storm sewer system (MS4) into which the facility discharges (if applicable). The most current MSGP was signed on December 7, 2016 and becomes effective 90-days thereafter. I understand that I must allow the Maine Department of Environmental Protection, 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 a MEPDES permit prior to any point source discharge of storm water from the facility.			
Name:			Date:
Title:			
Signature:			

Instructions for Completing the No Exposure Certification Form

To complete this form, type or print, in the appropriate areas only (if printing use uppercase letters). Make sure you have addressed all applicable questions and have made a photocopy for your records before sending the completed form to: **Maine Dept. of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017.**

Section A: Company Information – Legal Name & Billing Address

- Provide the full legal name of the person, partnership, co-partnership, firm, company, corporation, association, trust, estate, governmental entity or other legal entity that owns/operates the facility or site. This may be the given name of an individual (as listed on their social security card) or a registered legal entity (please provide Maine State Charter number). In the absence of such a registration number the NEC must be filed in the name of an individual whether or not they are conducting business under an unregistered assumed name. The responsible party is the legal entity that controls the facility's operations, rather than the plant or site manager.
- Provide the email address and telephone number of the facility operator.
- Provide the mailing address of the facility operator. Include the street address or P.O. Box, city, state and zip code. Any correspondence regarding the no exposure certification will be sent to this address, not the facility address in Section B.

Section B: Facility/Site Information

1. Enter the official or legal name of the facility or site.
2. Enter the complete street address (E911 in Maine), if no street address exists, provide a geographic description (e.g., Intersection of Routes 9 and 55), city/town, county, state and zip code. Do not use a P.O. Box.
3. Enter the latitude and longitude (**if known**) of the approximate center of the facility or site in degrees/minutes/seconds. Latitude and longitude can be obtained by using a GPS unit, or by searching for your facility's address on several commercial map sites on the internet.
4. Circle the appropriate box to indicate whether the facility is operated by a private, tribal federal, state, or other public entity such as a city, town or county.
5. Indicate whether the facility or site was previously covered under a NPDES stormwater permit or EPA exclusion. If yes, enter NPDES permit or no exposure number.
6. List your primary and secondary 4-digit Standard Industrial Classification (SIC) codes or 2-character Activity Codes that best describes the principal products or services provided at the facility or site identified in Section B of this application. See Table One Sectors of Industrial Activity in the MSGP.
7. Enter the total size of site industrial activity. Indicate if you have paved or roofed over a formerly exposed, pervious area in order to qualify for the no exposure exclusion. If you answer yes, please indicate approximately how much area was paved or roofed over (less than 1 acre; 1 to 5 acres; more than 5 acres).
8. Does your site's storm water convey to a Water of the State? (Waters of the State are classified as rivers, ponds, lakes, wetlands (named or unnamed), vernal pools, bogs, estuaries, streams (named and unnamed), tributaries (named and unnamed), creeks, (named or unnamed), brooks (named and unnamed), shore land, bays and ocean waters. Please circle Yes or No.

Section C: Exposure Checklist

Enter **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 Multi-Sector General Permit or under an individual permit. After obtaining permit coverage, you may be able to institute modifications to eliminate the potential for a discharge of stormwater exposed to industrial activity, and then certify to a condition of no exposure.

Section D: Certification

Enter printed name, date, title of position and signature. This application must be signed by:

- For a corporation: a responsible corporate officer
- For a partnership or sole proprietorship: a general partner or the proprietor
- For a municipal, State, Federal, or other public facility: either a principal executive or ranking elected official