



NO EXPOSURE CERTIFICATION FOR EXCLUSION FROM NPDES STORMWATER PERMITTING (FORM 62-620.910(17), F.A.C.)

Incorporated by reference in Rule 62-620.100(2)(o)1.b., F.A.C.

Submission of this No Exposure Certification and certification fee constitutes your affirmation that the entity identified in Section II does not require permit authorization for stormwater discharges associated with industrial activity pursuant to paragraph 62-620.100(2)(o), F.A.C., 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 precipitation 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 permitting is available on a facility-wide basis only and 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 II 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 62-620.100(2)(o), F.A.C.

ALL INFORMATION MUST BE PROVIDED ON THIS FORM.

Detailed instructions for completing this form and obtaining the No Exposure exclusion are provided on pages 5-7.

I. IDENTIFICATION NUMBER:

Facility ID: _____

II. APPLICANT INFORMATION:

A. Operator Name:		B. Operator Status:	
C. Address:			
D. City:	E. State:	F. Zip Code:	
G. Responsible Authority:			
H. Responsible Authority's Phone No.:			

I. Responsible Authority's Fax No.:
J. Responsible Authority's E-mail Address:

III. FACILITY/SITE LOCATION INFORMATION:

A. Facility Name:		
B. Street Address:		
C. City:	D. State:	E. Zip Code:
F. County:	G. Latitude: ° ' "	Longitude: ° ' "
H. Is the facility located on Indian Country Lands?	Yes No	I. Water Management District:
J. Facility Contact:		
K. Facility Contact's Phone No.:		
L. Facility Contact's Fax No.:		
M. Facility Contact's E-mail Address:		

IV. FACILITY ACTIVITY INFORMATION:

A. SIC or Designated Activity Code(s):	Primary:	Secondary:
B. Total size of site associated with industrial activity:	acres	
C. Has a roof or pavement been installed over a formerly exposed pervious area in order to qualify for the no exposure exclusion?	Yes No	
D. If yes, indicate approximately how much area was paved or roofed over. Completing this question does not disqualify the applicant from the no exposure exclusion.		
Less than 1,000 square feet	1,000 square feet to one acre	More than one acre

V. 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 these questions (1) through (11), you are not 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.	Yes	No
2. Materials or residuals on the ground or in stormwater inlets from spills/leaks.	Yes	No
3. Materials or products from past industrial activity.	Yes	No
4. Material handling equipment (except adequately maintained vehicles).	Yes	No
5. Materials or products during loading, unloading or transporting activities.	Yes	No
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	No
7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks and similar containers.	Yes	No
8. Materials or products handled or stored on roads or railways owned or maintained by the discharger.	Yes	No
9. Waste material [except waste in covered, non-leaking containers (e.g., 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 stormwater outflow.	Yes	No

VI. CERTIFICATION¹:

I certify under penalty of law that I have read and understand the eligibility requirements as set out in 62-620.100(2)(o), F.A.C., and this form, for claiming a condition of "no exposure" and obtaining an exclusion from NPDES stormwater permitting.

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 paragraph 62-620.100(2)(o)].

I understand that I am obligated to submit a no exposure certification form once every five years to the Department of Environmental Protection and 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 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. I understand that I must obtain coverage under a permit authorized by 403.0885, F.S. prior to any point source discharge of stormwater associated with industrial activity from the facility or at any such time I anticipate that the conditions of no exposure shall no longer apply to the facility. I further understand that the Department may determine that stormwater discharge from the facility is the cause of, or contributes to, a violation of an applicable water quality standard, including designated use, and require that I obtain a permit for the discharge at which time I would no longer be eligible for the no exposure exclusion.

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.**

Responsible Authority Name and Official Title (Type or Print):

Responsible Authority Signature:

Date Signed:

¹ Signatory requirements are contained in Rule 62-620.305, F.A.C.

INSTRUCTIONS – DEP FORM 62-620.910(17)
Incorporated by reference in Rule 62-620.100(2)(o)2.b., F.A.C.
NO EXPOSURE CERTIFICATION FOR EXCLUSION FROM NPDES STORMWATER PERMITTING

Who Can File a No Exposure Certification Application?

The Department of Environmental Protection (DEP) implements the stormwater element of the federal National Pollutant Discharge Elimination System (NPDES) as part of the Department's Wastewater Facility and Activities Permitting program. Authorized by Section 403.0885 of the Florida Statutes (F.S.), the Department's NPDES Stormwater Program is set out in various provisions within Chapters 62-4, 62-620, 62-621 and 62-624 of the Florida Administrative Code (F.A.C.). The "no exposure" exclusion from NPDES stormwater permitting discussed in these instructions is published as 62-620.100(2)(o), F.A.C.

Under the Department's EPA-approved NPDES stormwater program, no facility may discharge, and no activity may result in the discharge of, stormwater associated with industrial activity to surface waters of the State unless, the discharge or activity is subject to: (a) an appropriate DEP generic permit pursuant to Chapter 62-621, F.A.C. or (b) a DEP individual permit issued pursuant to Chapter 62-620, F.A.C. If the stormwater is not exposed to industrial materials or activities, it is not stormwater associated with industrial activity but is still subject to these "no exposure" certification requirements.

The "no exposure" exclusion is only available if precipitation and/or runoff from your facility or activity is not exposed to industrial materials or activities.

To qualify for the "no exposure" exclusion, you must read and become familiar with paragraph 62-620.100(2)(o), F.A.C. and Form 62-620.910(17), F.A.C. to which these instructions are attached, and then complete, sign and submit the completed certification form along with a certification fee as required by subparagraph 62-4.050(4)(d)3, F.A.C.

By signing the form you are certifying to the State of Florida Department of Environmental Protection that a condition of no exposure exists such that stormwater discharged from your facility or activity is not associated with industrial activities or materials.

Where to File No Exposure Certification:

The Department encourages the electronic submission of No Exposure Certification forms through the NPDES Stormwater Program's electronic permitting application available at <http://www.dep.state.fl.us/water/stormwater/npdes/>. As an alternative, No Exposure Certification forms may be submitted by paper copy to the following address:

NPDES Stormwater Notices Center, MS #2510
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

What Happens if Conditions Change?

If at any time conditions change such that precipitation and/or runoff at your facility or activity is exposed to industrial activities or materials, or should you anticipate such a change in conditions, you no longer qualify for the "no exposure" exclusion from NPDES stormwater permitting and you must apply to the Department for coverage under an appropriate DEP generic permit or a DEP-issued individual permit.

Part I – Identification Number:

Enter the facility’s DEP identification number (generic permit coverage/no exposure exclusion number) if known. If an ID number has not yet been assigned to this facility, leave this item blank.

Part II – Applicant Information:

Item A.: Provide the legal name of the person, firm, public organization or any other entity that operates the facility described in this certification. The operator of the facility is the legal entity which controls the facility’s operation rather than the plant or site manager. The name of the operator may or may not be the same as the name of the facility.

Item B.: Enter the appropriate one letter code from the list below to indicate the legal status of the operator of the facility:

F = Federal; S = State; P = Private; M = Public (other than federal or state); O = Other

Items C-F.: Provide the complete mailing address of the facility operator, including city, state and zip code.

Items G. – J.: Provide the name, telephone and fax number (including area code) and E-mail address of the person authorized to submit this certification on behalf of the facility operator. This should be the same person as indicated in the certification in Part VI.

Part III – Facility/Site Location Information:

Items A. – E.: Enter the facility’s official or legal name and complete street address, including city, state and zip code. Do not provide a P.O. Box number as the street address.

Item F.: Enter the county in which the facility is located.

Item G.: Enter the latitude and longitude, in degrees, minutes and seconds, of the approximate center of the facility.

Item H.: Indicate whether the facility is located on Indian Country Lands.

Item I: Enter the appropriate five or six letter code from the list below to indicate the Water Management District the facility is located within:

- NWFWMD = Northwest Florida Water Management District
- SRWMD = Suwannee River Water Management District
- SFWMD = South Florida Water Management District
- SWFWMD = Southwest Florida Water Management District
- SJRWMD = St. John’s River Water Management District.

Items J.-M.: Give the name, telephone and fax number (including area code) and E-mail address of the person who is thoroughly familiar with the operation of the facility, the facts reported in this certification and who can be contacted by the Department if necessary.

Part IV – Facility Activity Information:

Item A.: List, in descending order of significance, the 4-digit standard industrial classification (SIC) codes that best describe the principal products or services provided at the facility identified in Part III. For industrial activities defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi) that do not have SIC codes that accurately describe the principal products produced or services provided, use the appropriate two letter code from the list below:

- HZ = Hazardous waste treatment, storage or disposal facilities, including those that are operating under interim status or a permit under subtitle C of RCRA [40 CFR 122.26(b)(14)(iv)].
- LF = Landfills, land application sites and open dumps that receive or have received any industrial wastes, including those that are subject to regulation under subtitle D of RCRA [40 CFR 122.26(b)(14)(v)].
- SE = Steam electric power generating facilities, including coal handling sites [40 CFR 122.26(b)(14)(vii)].

TW = Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system used in the storage, treatment, recycling and reclamation of municipal or domestic sewage [40 CFR 122.26(b)(14)(ix)].

Item B.: Enter the total size of the site associated with industrial activity, in acres.

Item C.: Answer “yes” or “no” to whether a roof or pavement over a formerly exposed, pervious area was installed specifically for the purpose of qualifying for the No Exposure Exclusion.

Item D.: Check the appropriate area that was paved or roofed over to qualify for the No Exposure Exclusion. Please note the statement indicating that answering this question does not disqualify applicant from the exclusion.

Part V – Exposure Checklist:

Items 1-11: Answer “yes” or “no” to the questions regarding present or future exposure of the listed materials. **Answering “yes” to any of these questions (1) through (11), makes the facility not eligible for the no exposure exclusion.**

Part VI – Certification:

Type or print the name and official title of the Responsible Authority signing the certification. Sign and date the certification.

Pursuant to Section 403.161(1)(c), F.S., it is a violation of state law to knowingly make any false statement, representation or certification in any application, record, report, plan or other document filed with the Department. In addition to civil penalties, as set out in Section 403.141, F.S., under Section 403.161(5), any person who willfully commits a violation of Section (1)(c) is guilty of a misdemeanor of the first degree punishable by a fine of not more than \$10,000 or by 6 months in jail or by both for each offense.

Consistent with Rule 62-620.305, F.A.C., the “no exposure” certification form must be signed as follows:

- A. For a corporation, by a responsible corporate officer as described in Rule 62-620.305, F.A.C.;
- B. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
- C. For a municipality, state, federal or other public facility, by a principal executive officer or elected official.