

**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 Exclusion is to be granted 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 \_\_\_\_\_

Email Address \_\_\_\_\_

If the applicant named above is not also the owner, provide the owner's 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 at <https://www.osha.gov/pls/imis/sicsearch.html>.

5. Provide the total size of the site associated with the industrial activity: \_\_\_\_\_ Acres

6. Has a formerly exposed, pervious area been paved or roofed in order to qualify for the no exposure exclusion?

Yes  No

If yes, please indicate approximately how much area was paved or roofed.

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

## 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 (Sector I)?

## 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, mailing address, phone number, and email address of the entity (company, partnership, corporation, etc.), that operates the facility. Note that it is this entity, not the plant or site manager, that is considered the operator.).

Enter the name and check the appropriate status box of the facility.

If the entity named as the legal applicant in this form's Section I.A.1 is not also the owner, provide the owner's name, address, and phone number.

2. Enter the facility's specific address, road, or River Mile/Bank location (Ex. Intersection of Hwys. 9 & 55), front gate latitude and longitude in degrees/minutes/seconds, and the method of coordinate determination (Ex. a United States Geological Survey (USGS) quadrangle or topographic map, a Global Positioning System (GPS) unit, a map website, facility's previous permit, etc.) used to obtain the coordinates. Call the USGS for maps at 1(888) ASK-USGS or access maps at <https://www.mytopo.com/maps/> or [www.topozone.com](http://www.topozone.com).

Latitude and longitude in decimal degrees can be converted to degrees/minutes/seconds by following 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 result for 45.1234567 = 45° 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). SIC codes can be obtained at <https://www.osha.gov/pls/imis/sicsearch.htm>. **The facility is ineligible for the no exposure exclusion if its SIC code is not listed in Table 1 of the MSGP.**
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 ft<sup>2</sup> to acres  
Divide 54,450 ft<sup>2</sup> by 43,560 square feet per acre:  $54,450 \text{ ft}^2 \div 43,560 \text{ ft}^2/\text{acre} = 1.25$  acres.
6. Check *Yes* or *No* to indicate whether a formerly exposed, pervious area (i.e., lawn, meadow, dirt or gravel road/parking lot) has been paved or roofed in order to qualify for the no exposure. If yes, indicate approximately how much area was paved or roofed. The response provided may be used to determine if storm water discharges from the facility or site are likely to adversely impact water quality, in which case the facility could be required to obtain permit coverage.

## Section II. Exposure Checklist

Check *Yes* or *No* 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 to the facility meeting the condition of no exposure by submitting a completed Form NOEXP for the facility.

## Section III. Certification Statement

LPDES regulations require this certification form 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.