



MISSOURI DEPARTMENT OF NATURAL RESOURCES
 WATER PROTECTION PROGRAM
**NO EXPOSURE CERTIFICATION FOR EXCLUSION FROM NPDES STORMWATER PERMITTING UNDER
 MISSOURI CLEAN WATER LAW**

**PLEASE READ ALL THE ACCOMPANYING INSTRUCTIONS BEFORE COMPLETING THIS FORM.
 SUBMITTAL OF AN INCOMPLETE FORM MAY RESULT IN THE FORM BEING RETURNED UNPROCESSED.**

Submission of this No Exposure Certification (NEC) constitutes notice by the facility representative identified in Section 7 of this form that there is no exposure of the facility's industrial activities, equipment and materials to stormwater in accordance with the requirements of 10 CSR 20-6.200 Stormwater Regulations.

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 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 (including recyclable) 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:

- Storage of 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.
- Final products, other than products that would be mobilized in stormwater discharges (e.g., rock salt).

A NEC must be provided for each facility qualifying for the no exposure exclusion. In addition, the certification of exclusion from NPDES 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, or if the facility discharges any effluent other than stormwater to waters of the state, the facility is not eligible for the no exposure exclusion.

By signing and submitting this NEC, the facility representative in Section 7 certifies that a condition of no exposure exists at their facility or site, and is obligated to comply with the terms and conditions of 40 CFR 122.26(g).

1. FACILITY

FACILITY NAME			TELEPHONE NUMBER WITH AREA CODE	
ADDRESS (PHYSICAL LOCATION)	CITY	COUNTY	STATE	ZIP CODE

1.2 PLEASE SELECT ONE:

- a. This facility is now in operation under No Exposure Certification MO – NX _____ and is submitting a certification for renewal
- b. This is a facility submitting a request for a new No Exposure Certification (for a new facility).
- c. This facility is now in operation under Missouri State Operating Permit MO – _____, is requesting a new NEC, and wishes to terminate existing operating permit.
- d. This facility is a wastewater treatment plant with a design flow equal to or greater than 1.0 million gallons per day or a treatment plant required to have an approved pretreatment system and is requesting a NEC.

2. OWNER

NAME		EMAIL ADDRESS	TELEPHONE NUMBER WITH AREA CODE	
ADDRESS (MAILING)		CITY	STATE	ZIP CODE

3. CONTINUING AUTHORITY

NAME		EMAIL ADDRESS	TELEPHONE NUMBER WITH AREA CODE	
ADDRESS (MAILING)		CITY	STATE	ZIP CODE

4. FACILITY CONTACT

NAME			TELEPHONE NUMBER WITH AREA CODE	
TITLE		EMAIL ADDRESS		

5. ADDITIONAL INFORMATION

- 5.1 Does the discharge(s) for which you are seeking an exclusion discharge to a combined sewer system? Yes No
If yes, provide the name of the combined sewer system entity _____
- 5.2 Does the discharge(s) for which you are seeking an exclusion discharge through a Municipal Separate Storm Sewer System (MS4)? Yes No
If yes, provide the name of the MS4 entity _____
- 5.3 Primary SIC Code of Facility _____ Other SIC Codes _____ (Optional) Primary NAICS Code of Facility _____
- 5.4 Provide an attached list of **any** materials that are stored outside and exposed to stormwater including wood pallets, empty storage barrels, waste disposal containers (except for a secured covered dumpster). Materials other than final product such as raw material or by-product of your industrial activities that can be mobilized by stormwater do not qualify for no exposure exclusion.
- 5.5 Attach a 1:1,000 aerial photograph (preferred) or USGS topographic map showing the location of the facility. Indicate on the map the facility, the property boundaries of the facility, the receiving water body, any septic tanks/lateral lines, stormwater basins, the location of items stored outside and all outfall locations.
- 5.6 Is the facility causing an adverse impact on water quality due to major changes at the site to achieve no exposure? For example, constructing new buildings/shelters or constructing structures to prevent run-on in a formerly vegetated area.
 Yes No
If yes, please indicate approximately how much area was paved or roofed over. The department may use this information in considering whether stormwater discharges from your site are likely to have an adverse impact on water quality, in which you could be required to obtain permit coverage for land disturbance activities.
 Less than 1 acre 1 to 5 acres More than 5 acres

6. NO EXPOSURE CERTIFICATION CHECKLIST

The purpose of this checklist is to 1) help you determine whether the exposure of industrial activities, materials, or equipment to stormwater has been eliminated at the facility, and 2) help department staff evaluate the adequacy of your compliance activities and NEC. For the purpose of this checklist, "outdoors" are areas of the facility that are not beneath permanent roofed structures where stormwater cannot run into or out of.

Are any of the following materials or activities exposed to precipitation or occurring on-site, now or in the foreseeable future? Please answer all questions by checking "Yes" or "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 stormwater. Yes No
- Materials or residuals on the ground or in stormwater inlets from spills or leaks. Yes No
- Materials or products from past industrial activity. Yes No
- Material handling equipment (except adequately maintained vehicles). Yes No
- Materials or products during loading/unloading or transporting activities. Yes No
- 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 of pollutants). Yes No
- Materials contained in open, deteriorated, or leaking storage drums, barrels, tanks, or similar containers. Yes No
- Materials or products handled/stored on roads or railways owned or maintained by the facility. Yes No
- Waste Material (except waste in covered, non-leaking containers [e.g., dumpsters]). Yes No
- On-site land application or discharge of wastewater. Yes No
- Particulate matter or visible deposits or residuals from roof stacks or vents not otherwise regulated (i.e., under an air quality control permit) and evident in the stormwater outflow. Yes No

If you answered "Yes" to any of these questions, you are not eligible for the no exposure exclusion.

7. 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 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 40 CFR 122.26(g)(2)].

I understand that I am obligated to submit a no exposure certification form once every five years to the NPDES 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 NPDES 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 NPDES permit prior to any point source discharge of stormwater 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.

NAME (TYPE OR PRINT)	OFFICIAL TITLE
EMAIL	TELEPHONE NUMBER WITH AREA CODE
SIGNATURE	DATE SIGNED

GUIDANCE AND INSTRUCTIONS FOR COMPLETING THE NO EXPOSURE CERTIFICATION FOR EXCLUSION FROM NPDES STORMWATER PERMITTING UNDER MISSOURI CLEAN WATER LAW—FORM 780-2828

For assistance in determining if the facility meets the conditions of “No Exposure” please reference the [Missouri Department of Natural Resources Guidance for No Exposure Certification for Exclusion from Stormwater Permit Requirements, Pub 2729](#). This document is available online at <https://dnr.mo.gov/pubs/pub2729.htm>.

Additionally you may reference the U.S. Environmental Protection Agency’s [Guidance Manual for Conditional Exclusion from Storm Water Permitting Based on “No Exposure” of Industrial Activities to Storm Water, June 2000](#).” This document is available at <https://www.epa.gov/npdes/guidance-manual-conditional-exclusion-stormwater-permitting-based-no-exposure-industrial>.

Persons with more than one operating location shall obtain a Missouri State Operating Permit or No Exposure Certification for each location unless other permitting arrangements are allowed by the terms of the permit. Where multiple discharge points exist at a single operating location, one application may cover all the applicable discharges.

The no exposure exclusion is conditional. Therefore, if there is a change in circumstances that causes exposure of industrial activities or materials to stormwater, the operator is required to comply immediately with all requirements of the stormwater program, including obtaining a permit. Where a facility operator determines that exposure is likely to occur in the future due to some anticipated change at the facility, the operator shall obtain a permit prior to the discharge of stormwater associated with industrial activity. Regulated industrial operators must to either apply for a permit or submit a no exposure certification in order to be in compliance with the NPDES stormwater regulations.

Failure to maintain the condition of no exposure or obtain a permit to discharge can lead to unauthorized discharge of pollutants to waters of the state. Such a discharge is a violation of the Missouri Clean Water Law and the Federal Water Pollution Control Act and may be subject to fines and penalties.

Even if the facility operator certifies the condition of no exposure, the department retains the authority to require the facility to obtain a permit if it is determined that there is exposure at the facility, or that the discharge of stormwater is contributing to the violation of water quality standards.

Fees: There is no fee associated with No Exposure Certifications; however, if the facility has a current operating permit all past due fees must be made current in order to terminate the existing permit.

1. Facility name and address. The name by which this facility is locally known. Provide the street address or location of the facility. If the facility lacks a street name or route number, provide the name of the closest intersection, highway, county road, accurate geographic description, etc. (e.g., Intersection of Route A and M).
- 1.2 Check the appropriate box. Do not check more than one.
2. Facility Owner. Provide the legal name, mailing address, work phone, and email address of the owner. Correspondence will be mailed to the owner address listed on this application.
3. Continuing Authority. A continuing authority is a company, business, entity or person(s) that will be operating the facility and/or ensuring compliance with the permit requirements. A continuing authority is not, however, an entity or individual that is contractually hired by the permittee to sample or operate and maintain the system for a defined time period, such as a certified operator or analytical laboratory. To access the regulatory requirement regarding continuing authority, 10 CSR 20-6.010(2), please visit <http://s1.sos.mo.gov/cmsimages/adrules/csr/current/10csr/10c20-6.pdf>. A continuing authority’s name must be listed exactly as it appears on the Missouri Secretary of State’s (SoS’s) webpage: <https://bsd.sos.mo.gov/BusinessEntity/BESearch.aspx?SearchType=0>, unless the continuing authority is an individual(s), government, or otherwise not required to register with the SoS
4. Facility Contact. Provide the name, title, work phone and email address of a person who is thoroughly familiar with the operation of the facility and with the facts reported in this application and who can be contacted by the department.
5. Additional Information.
 - 5.1 A combined sewer system is one in which the sanitary and storm sewers are one pipe. In Missouri, parts of Macon, Moberly, St. Joseph, Kansas City, Sedalia, and most of the city of St. Louis are on combined sewer systems. To find information, consult with your municipal public works department or, if in St. Louis, the Metropolitan St. Louis Sewer District (MSD). If this discharge is to a combined sewer system, it is exempt from stormwater permitting requirements in most cases. Visit <http://dnr.mo.gov/env/wpp/permits/index.html> to view individual general permits to determine if the permit you are applying for includes this exemption. If it does, you do not need to file this application.
 - 5.2 If discharge is located within a MS4 permitted authority, provide the name of the authority.
 - 5.3 List the four-digit Standard Industrial Classification (SIC) code that best describes your facility in terms of principal products or services you produce or provide. The SIC system was devised by the U.S. Office of Management and Budget to cover all economic activities. The primary SIC code is that of the operation that generates the most revenue, or,

secondly, employs the most personnel. To find the correct SIC code, contact the Missouri Department of Natural Resources at 573-522-4502 or refer to the following websites: www.osha.gov/pls/imis/sicsearch.html or siccode.com/en/naicscode/list/directory. In addition, list the North American Industry Classification System (NAICS) code, if known.

- 5.4 List anything stored outside, including wood pallets, empty storage barrels, waste disposal containers, or anything that is a raw material, by-product, or product of your industrial activities.
- 5.5 An aerial photograph with appropriate detail, such as Google Earth or Google Maps. U.S. Geological Survey topographic maps are available from the department's Missouri Geological Survey in Rolla, Mo at 573-368-2100 and online at <http://dnr.mo.gov/geology/adm/publications/topoquads.htm>. To the best of your ability, draw property boundaries, outfall locations, receiving water body(ies) and other significant facility features.
- 5.6 An increase in impervious area often leads to an increase in volume and velocity of runoff, which, in turn, can result in a higher concentration of pollutants in the discharge, since fewer pollutants are naturally filtered out.
6. All questions should be answered by checking "Yes" or "No". Please note that if you answer "Yes" to any of these questions, you are **not** eligible for the no exposure exclusion.
7. Include the name, title, phone number and email address of the person signing the form and the date of signing. An unsigned or undated certification will not be considered valid.

The No Exposure Certification form must be signed as follows:

- (i) For a corporation: By a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means:
 - a. a 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
 - b. 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.
- (ii) For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or
- (iii) For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). Include the name and title of the person signing the form and the date of signing.

If you have any further questions regarding the no exposure certification or this form, contact the appropriate Regional Office.

This completed form and any attachments should be submitted to:

For Site Specific Permits (MO-0000000), MOG05, 87, and MOR240:
Central Office, Water Protection Program -Operating Permits Section, (see contact information below)

For General Permits MOG – 09, 13, 14, 251, 35, 49, 50, 64, 641, 67, 69, 698, 75, 76, 821, 822, 84, 92, 94, 97, MOR – 13, 203, 22A, 22B, 22C, 23A, 23D, 23E, 240 (renewal), 60A, 80C, 80F, 80H:
Regional Offices (see [map](#) link below)

Central Office	Regional Offices
Department of Natural Resources Water Protection Program ATTN: Operating Permits Section P.O. Box 176 Jefferson City, MO 65102-0176 800-361-4827 or 573-522-4502	Please send to the appropriate regional office. A map of regional offices with addresses and phone numbers are available online at dnr.mo.gov/regions/ .

Submittal of an incomplete form may result in form being returned.