State of Georgia
Department of Natural Resources
Environmental Protection Division

For official use only

NOI No., if known : _____

INDUSTRIAL NO EXPOSURE EXCLUSION CERTIFICATION FORM
NEE - Version 2022

□ Initial Notification □ Previously Permitted under the 2017 IGP □ Change of Information _____

A. FACILITY LOCATION INFORMATION

FACILITY NAME: _____ PHONE: _____

STREET/LOCATION ADDRESS: _____

CITY: _____ COUNTY: _____ ZIP CODE: _____

LATITUDE: _____ LONGITUDE: _____ (Decimal degrees = XX.XXXXXX & -XX.XXXXXX)

MAILING ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____

B. **FACILITY OWNER-OPERATOR INFORMATION**

FACILITY OWNERSHIP TYPE: _____

FORMAL ORGANIZATION NAME: _____ PHONE: _____

MAILING ADDRESS: _____

CITY: _____ STATE: GA ZIP CODE: _____

RESPONSIBLE OFFICIAL FACILITY CONTACT

Name: _____ Title: _____ Phone: _____

Email: _____ Mailing Address: _____

City: _____ State: _____ Zip Code: _____

On-site Facility Contact: Name: _____ Telephone Number: _____

Title: _____ Email: _____

C. SITE INFORMATION

1. Name of river basin where facility is located: _____
2. Name of receiving waters _____
3. Does the facility discharge into a Municipal Separate Storm Sewer System (MS4), as defined in Appendix A of the 2022 IGP? Yes □ No □
4. a. Was the facility or site previously covered under the 2017 IGP? Yes □ No □
   b. Was the facility or site previously exempted from coverage under the 2017 IGP? Yes □ No □
   c. Is the facility, or any portion thereof, covered under any other NPDES permits? Yes □ No □
   PERMIT NO. (if applicable): _____
   d. Does the facility require other permits from EPD? Yes □ No □
   PERMIT NO. (if applicable): _____

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5. On the line below: Identify the 4-digit Standard Industrial Classification (SIC) code that best represents the products produced or services rendered for which the facility is primarily engaged, as defined as "primary industrial activity" in Appendix A of the 2022 IGP. Identify up to four, 4-digit secondary SIC codes for additional industrial activities, if applicable.

   Applicants should obtain their Primary SIC code from filings of Federal or State tax and payroll documents. In the event the facility uses NAICS Codes for these documents, use the conversion tool located here: https://www.naics.com/naics-to-sic-crosswalk to obtain the approximate SIC code. The SIC code is used to determine which Sector requirements the facility must follow, which are documented in Part 8 of the Permit. Secondary SIC codes should only be added if facility activities not described by the Primary Sector are covered by other sectors of the Permit that contain additional requirements.

Primary SIC CODE	Part 8 Sector	Sector Name	Check if Subject to Effluent Limits
			☐

D. 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 the following questions (1) through (11), then your facility is <u>not</u> eligible for the No Exposure Exclusion , and you must submit a Notice of Intent (NOI) instead.**

1. Using, storing or cleaning industrial machinery or equipment, or 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 or 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, or similar containers. Yes ☐ No ☐
8. Materials or products handled/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. lidded 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 storm water outflow). Yes ☐ No ☐

E. CERTIFICATION – (Signature in accordance with Appendix B.7 of the 2022 IGP)

☐ 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; and that there are no discharges of stormwater contaminated by exposure to industrial activities or materials from the industrial facility identified in this document (except as allowed under 40 CFR 122.26(g)(2)).

☐ I understand that I am obligated to submit no exposure certification form to EPD within thirty (30) days of the effective date of the 2022 IGP 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 EPD or an authorized representative of EPA, the State, or the local 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.

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□ 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 upon my inquiry of the person or persons who manage the system, or those persons directly involved in 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.

Printed Name: _____ **Title**: _____

Signature: _____ **Date:** _____

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F. ADDITIONAL REQUIREMENTS

Facilities that claim the Industrial No Exposure Exclusion (NEE) are exempt from storm water permitting as long as the condition of No Exposure is maintained and, therefore, are not required to submit a Notice of Intent (NOI) for coverage under the 2022 IGP. Permitted facilities that are able to meet the requirements for the NEE at a later date will, after submitting the Industrial NEE Certification form, no longer be authorized by or required to comply with the 2022 IGP. Submittal of a Notice of Termination is not required prior to submittal of the Industrial NEE Certification form.

Owners and operators of facilities for which an NEE Certification form is submitted shall conduct quarterly inspections to ensure that a condition of No Exposure is maintained at the facility. The results of each such inspection shall be documented and maintained at the facility and available to EPD upon request. If an inspection shows that a condition of No Exposure does not exist, then the facility must be restored to a condition of No Exposure by implementing appropriate remedial measures within thirty (30) days of the inspection, or the facility owner or operator must submit a Notice of Intent (NOI) for coverage under the 2022 IGP by the end of that thirty (30) day period and must thereafter comply with the conditions of the 2022 IGP. The Director may revoke NEE status for any facility that does not adequately demonstrate that it complied or continues to comply with the NEE requirements.

If the storm water is discharged to an MS4, then list the name of the operator of the MS4. This will usually be a city or county government, water authority or storm water utility. If you discharge to an MS4 you must submit a copy of your NEE to the MS4 (if requested) and allow MS4 inspectors to inspect the facility.

Submission of this Industrial NEE Certification form constitutes notice that the entity identified in Section B does not require authorization for storm water discharges associated with industrial activity in the State of Georgia under the 2022 IGP due to the existence of a condition of No Exposure at the referenced facility.

The Environmental Protection Division (EPD) does not acknowledge receipt of an NEE; therefore, the return receipt serves as confirmation of submittal. Retain a copy of the return receipt with a copy of the original NEE for your records.

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 and 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;
- Final products, other than products that would be mobilized in storm water discharges (e.g. rock salt, etc.); and
- Manufacturing buildings, provided that material in the building is not exposed to storm water, that the exterior of the building is properly maintained (cleaned of any spilled materials, etc.), and that no industrial materials are exposed to storm water on the building roof.

An Industrial NEE Certification form must be provided for each facility qualifying for the Industrial No Exposure Exclusion. In addition, the exclusion from NPDES permitting is available on a facility-wide basis only and <u>not</u> for individual storm water outfalls. If any industrial activities or materials are, or will be, exposed to precipitation, the facility is <u>not</u> eligible for the Industrial No Exposure Exclusion.

By signing and submitting this Industrial NEE Certification form, the entity in Section B is certifying that a condition of No Exposure exists at the referenced facility or site and is obligated to comply with the terms and conditions of 40 CFR 122.26(g).

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