



# INDUSTRIAL STORMWATER NO EXPOSURE APPLICATION (327 IAC 15-6-12)

State Form 53027 (7-23)  
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
Approved by State Board of Accounts, 2022

- NOTE:** Stormwater Run-off Associated with Industrial Activity  
NPDES General Permit Rule 327 IAC 15-6 (Rule 6).
- Submission of this application constitutes notice that the facility does not require NPDES permit coverage for stormwater discharges associated with industrial activities due to a condition of no exposure.
  - A No Exposure Certification must be provided for each facility qualifying for the exclusion. The exclusion from NPDES permit coverage is available on a facility-wide basis only and does not apply to individual outfalls at a facility. If any industrial activities or materials are or will be exposed to precipitation, the facility is not eligible for the exclusion and must obtain NPDES permit coverage under 327 IAC 15-6.

## No Exposure Exclusion/Certification

Questions regarding this form may be directed to:

IDEM, Office of Water Quality  
Stormwater Program  
100 North Senate Avenue, Room 1255  
Indianapolis, IN 46204

Phone: (317) 233-1864 or  
(800) 451-6027, ext. 31864 (within Indiana)

Program Email: [Stormwat@idem.IN.gov](mailto:Stormwat@idem.IN.gov)

Program Website:  
<https://www.in.gov/idem/stormwater>

### PART A: FACILITY STATUS

Please review and complete Items (1) through (4) below

- (1) Does the facility have current industrial stormwater permit coverage?  Yes  No
- If yes, provide the NPDES Authorization Number (begins with INRM): \_\_\_\_\_ and check "Initial" in Item (3) below.
  - If no, complete item (2) below.
- (2) Does the facility currently operate under the no exposure exclusion?  Yes  No
- If yes, provide the authorization Number (begins with INRX): \_\_\_\_\_ and check "Renewal or Amendment" in Item (3) below.
  - If no, check "Initial" in item (3) below.
- (3) No Exposure:
- Initial  Renewal
- Amendment and reason for amendment: \_\_\_\_\_
- (4) Does the facility have a current industrial wastewater permit and if applicable provide the authorization Number: \_\_\_\_\_
- (5) 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 run-off. 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).
- (6) The conditional no exposure exclusion is available on a facility-wide basis only, not for individual outfalls. A no exposure certification must be provided for each facility qualifying for the no exposure exclusion.

### PART B: GENERAL FACILITY INFORMATION

- (1) Facility Name: \_\_\_\_\_
- (2) Facility Location Address:  
Address 1: \_\_\_\_\_  
Address 2: \_\_\_\_\_  
City: \_\_\_\_\_ State: Indiana Zip: \_\_\_\_\_ County: \_\_\_\_\_
- (3) Facility Coordinates (entrance to the facility): Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_
- (4) Is the facility located on Indian Lands?  Yes  No
- (5) Is this a federal owned/operated facility?  Yes  No
- (6) Standard Industrial Classification Code (4 digit): \_\_\_\_\_ Secondary (if applicable): \_\_\_\_\_
- (7) North American Industry Classification System (NAICS): \_\_\_\_\_
- (8) Total size of site associated with industrial activity: \_\_\_\_\_ acres Total facility acreage: \_\_\_\_\_ acres
- (9) Have you paved or roofed over a formerly exposed, area in order to qualify for the no exposure exclusion?  Yes  No
- If yes, please indicate an approximation of the acreage:  
 Less than one acre  One to five acres  More than five acres
- Note:** Completing this question does not disqualify the facility for the no exposure exclusion. However, program staff may use this information in considering whether stormwater discharges from the facility are likely to have an adverse impact on water quality, in which case you may be required to obtain permit coverage.

**PART C: FACILITY CONTACTS**

**Responsible Individual/Entity:**

First Name: Last Name:

Responsible Individual Title:

Representing (Company Name):

**Physical Address:**

Address 1:

Address 2:

City: State: Zip:

**Mailing Address (if different from above):**

Address 1:

Address 2:

City: State: Zip:

Phone Number: Secondary Phone Number:

Email address:

**Facility Contact:**

First Name: Last Name:

Contact Title:

Representing (Company Name):

**Physical Address:**

Address 1:

Address 2:

City: State: Zip:

**Mailing Address (if different from above):**

Address 1:

Address 2:

City: State: Zip:

Phone number: Secondary Phone Number:

Contact email address:

**Application Preparer/Consultant:**

First Name: Last Name:

Contact title:

Representing (Company Name):

Address 1:

Address 2:

City: State: Zip:

Phone Number: Secondary Phone Number:

Contact email address:

**PART D: NO EXPOSURE VERIFICATION**

**Are any of the following materials or activities exposed to precipitation, now or in the foreseeable future?**

Review each of the eleven items below and select "Yes" or "No" based on operations and conditions at the facility. If any answers are left blank or an answer of "Yes" is selected, the facility is not eligible for the no exposure exclusion and permit coverage under 327 IAC 15-6 must be obtained for the facility.

(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	<input type="checkbox"/> Yes <input type="checkbox"/> No
(2) Materials or residuals on the ground or in stormwater inlets from spills/leaks	<input type="checkbox"/> Yes <input type="checkbox"/> No
(3) Materials or products from past industrial activity	<input type="checkbox"/> Yes <input type="checkbox"/> No
(4) Material handling equipment (except adequately maintained vehicles)	<input type="checkbox"/> Yes <input type="checkbox"/> No
(5) Materials or products during loading/unloading or transporting activities	<input type="checkbox"/> Yes <input type="checkbox"/> No
(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 of pollutants)	<input type="checkbox"/> Yes <input type="checkbox"/> No
(7) Materials contained in open, deteriorated, or leaking storage drums, barrels, tanks, and similar containers	<input type="checkbox"/> Yes <input type="checkbox"/> No
(8) Materials or products handled/stored on roads or railways owned or maintained by the discharger	<input type="checkbox"/> Yes <input type="checkbox"/> No
(9) Waste material (except waste in covered, non-leaking containers [e.g., dumpsters])	<input type="checkbox"/> Yes <input type="checkbox"/> No
(10) Application or disposal of process wastewater (unless otherwise permitted)	<input type="checkbox"/> Yes <input type="checkbox"/> 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	<input type="checkbox"/> Yes <input type="checkbox"/> No

**PART E: APPLICATION FEE**

Submission of this form requires an application fee of \$50 as required by 327 IAC 5-3-17 (j)(2).

Payment may be made with a check or money order payable to the Indiana Department of Environmental Management

**PART F: CERTIFICATION AND SIGNATURE**

I swear or affirm, under penalty of perjury as specified by IC 35-44.1-2-1 and other penalties specified by IC 13-30-10, that the statements and representations in this notification are true, accurate, and complete.

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 for those allowed under 327 IAC 15-6-12 (e)(4) and 40 CFR 122.26(g)(2).
- 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 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.

I understand that I am obligated to submit a no exposure certification application once every five years to the IDEM Office of Water Quality 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 If changes at the facility result in industrial activities or materials becoming exposed to stormwater in accordance with 327 IAC 15-3, 327 IAC 15-6-5 and 327 IAC 15-6-6.

Printed Name of Responsible Individual (Applicant/Permittee): \_\_\_\_\_

Signature of Responsible Individual: \_\_\_\_\_ Date (month/day/year) \_\_\_\_\_

**Note:** This document must be signed by the individual meeting requirement of 40 CFR 122.22.

Signature must be wet ink (FAX and photocopies are not acceptable)

## PART G: Completing the Industrial No Exposure Application

### Submit this completed Application to:

Indiana Department of Environmental Management  
Office of Water Quality Stormwater Program  
100 North Senate Avenue  
IGCN Room 1255  
Indianapolis Indiana 46204

### General Information:

- (1) Filing a No Exposure Certification:
  - (a) Federal law at 40 CFR Part 122.26 prohibits point source discharges of stormwater associated with industrial activity to waters of the U.S. without a National Pollutant Discharge Elimination System (NPDES) permit. However, NPDES permit coverage is not required for discharges of stormwater associated with industrial activities identified at 40 CFR 122.26(b)(14)(i)-(ix) and (xi) if the discharger can certify that a condition of “no exposure” exists at the industrial facility or site.
  - (b) Stormwater discharges associated with construction activities identified in the Construction Stormwater General Permit (effective December 18, 2021 or 40 CFR 122.26(b)(14)(x) and (b)(15) are not eligible for the no exposure exclusion.
- (2) Exposure Verification (Part D):
  - (a) Check “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 an NPDES stormwater permit.
  - (b) After obtaining permit coverage, you can institute modifications to eliminate the potential for a discharge of stormwater exposed to industrial activity, and then certify to a condition of no exposure.
- (3) Certification Statement (Part F):
  - (a) This statement should be read carefully by the applicant/permittee. The responsible official or authorized representative of the operator (and owner, if the owner has co-permittee status) shall print their names for clarity, then sign and date the document on the lines provided.
  - (b) Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:
    - For a corporation: by a responsible corporate officer, which means:
      - 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
      - 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;
    - 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.
- (4) A facility excluded under 327 IAC 15-6-12 shall meet the following requirements:
  - (a) A copy of the “No Exposure Certification” form must be retained on site at the facility for a period of five (5) years following the date that the commissioner received the original form in order for the no exposure exclusion to remain applicable.
  - (b) The “No Exposure Certification” form must be submitted once every five (5) years to the commissioner, 90 days prior to expiration.
  - (c) The certification for no exposure is nontransferable. If a new operator or owner takes over a facility, the new operator shall immediately complete and submit a new certification form in order to claim the exclusion.
  - (d) If changes at a facility result in industrial activities or materials becoming exposed to stormwater, the no exposure exclusion ceases to apply. The responsible entity with operational control for the facility must submit an NOI letter in accordance with sections 5 and 6 of 327 IAC 15-6 at least two (2) days before the foreseen changes happen that cause the condition of exposure.
  - (e) If unforeseen events, such as spills, equipment malfunctions, or acts of nature, cause industrial activities or materials to become exposed to storm water, the no exposure exclusion may still apply provided notification is given to the commissioner within twenty-four (24) hours of facility personnel becoming aware of the exposure and corrective measures are taken to reestablish a condition of no exposure prior to the next storm water discharge event.
- (5) The agency may schedule an inspection of the facility to verify claims for the no exposure exclusion are valid.