



State of Oregon
Department of Environmental Quality
700 NE Multnomah Street Suite 600 Portland, OR 97232-4100
General Information: (503) 229-5263
Toll-free within Oregon: (800) 452-4011

Certification of Non-Exposure to Toxics For Underground Injection Control

Submission of this No-Exposure Certification constitutes notice that the facility or municipality owning or operating stormwater injection systems certifies that the areas with hazardous substances use are not in contact with stormwater that is being injected. This certification is required as part of inventory registration to qualify as authorized by rule for stormwater disposal to an injection system.

A condition of no exposure exists at a site, facility or municipality 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, stored or generated toxic or hazardous materials, petroleum products, 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 site or facility as part of the qualifications for authorization by rule. If any industrial activities or materials are or will be exposed to precipitation, the facility or site is not eligible for the no-exposure exclusion.

By signing and submitting this Certification of Non-Exposure to Toxics form, the entity 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 40 CFR 122.26(g) and OAR 340-44.

ALL INFORMATION MUST BE PROVIDED ON THIS FORM

Detailed instructions for completing this form and obtaining the No-Exposure exclusion are provided on pages 3 and 4.

A. FACILITY OPERATOR INFORMATION	
1. Name:	3. Email Address:
2. Mailing Address/PO Box:	4. Phone:
City, State, Zip:	
B. FACILITY/SITE LOCATION INFORMATION	
1. Facility Name:	3. Is facility located on Indian Lands? Yes <input type="checkbox"/> No
2. Mailing Address:	4. Is this a federal facility? Yes <input type="checkbox"/> No
County, City, State, Zip:	

5. a. Latitude (decimal):		b. Longitude (decimal):	
6. a. Was or is the facility or site covered under a WPCF permit?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
b. If yes, enter WPCF permit number:		c. If under an NPDES permit, enter permit number:	
7. SIC/Activity Codes:	Primary:	Secondary (if applicable):	
8. Total size of site associated with industrial activity:		acres	
9. a. Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the No-Exposure exclusion? Yes <input type="checkbox"/> No <input type="checkbox"/>			
b. If yes, please indicate approximately how much area was paved or roofed over. Completing this question does not disqualify you for the No-Exposure exclusion. However, DEQ may use this information in considering whether stormwater discharges from your site are likely to have an adverse impact on water quality, in which case you could be required to obtain permit coverage. Less than one acre <input type="checkbox"/> One to five acres <input type="checkbox"/> More than five acres <input type="checkbox"/>			

C. EXPOSURE CHECKLIST

Are any of the following materials or activities exposed to precipitation in the area served by your injection systems, 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, you do not qualify for the No-Exposure certification or rule authorization.

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

D. CERTIFICATION STATEMENT

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of "no exposure" to be considered as qualifying for authorization by rule for stormwater injection. 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)) and/or OAR 340-44 UIC rules.

I understand that I am obligated to submit a Certification of Non-Exposure to Toxics form once every five years to DEQ. I understand that I must allow the DEQ permitting authority, where the discharge is, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request.

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.

Print _____

Print _____

Signature _____

Date: _____

Who May File a No-Exposure Certification

State law prohibits discharges of stormwater associated with industrial activity into waters of the U.S., including groundwater, without qualifying as authorized by rule or under a permit. However, WPCF permit coverage is not required for discharges of stormwater associated with industrial activities if the discharger can certify that a condition of “no exposure” exists at the facility or site, and if the site meets basic requirements for authorization by rule, under OAR 340-044-0018 (3).

Obtaining and Maintaining the No-Exposure Exclusion

This form is used to certify that a condition of no exposure exists at the facility or site described herein. This certification is only applicable where DEQ is the UIC permitting authority and must be re-submitted at least once every five years.

The facility operator must maintain a condition of no exposure at its facility or site for the no-exposure exclusion to remain applicable. If conditions change resulting in the exposure of hazardous materials and activities to stormwater, the facility operator must obtain coverage under a WPCF stormwater permit immediately, or make changes to re-establish non-exposure conditions.

Where to File the No-Exposure Certification Form

Mail the completed Certification of Non-Exposure to Toxics Form to:

DEQ UIC Senior Hydrogeologist
700 NE Multnomah St., Suite 600
WQ Division
Portland, Oregon 97232

or email to: uic@deq.state.or.us

Completing the Form

You must type or print in appropriate areas only. One form must be completed for each facility or site for which you are seeking to certify a condition of no exposure. Please make sure you have addressed all applicable questions and have made a photocopy for your records before sending the completed form to the above address.

SECTION A. FACILITY OPERATOR

1. Provide the legal name of the person, firm, public organization, or any other entity that owns or operates the facility or site described in this certification. The name of the owner/operator may or may not be the same as the name of the facility. The owner/operator is the legal entity that controls the facility's operation, rather than the plant or site manager.
2. Provide the mailing address of the operator (PO Box numbers may be used). Include the city, state and zip code. All correspondence will be sent to this address.
3. Provide email address, telephone number and email of the facility operator.

SECTION B. FACILITY/SITE LOCATION INFORMATION

1. Enter the official or legal name of the facility or site.
2. Enter the complete street address (if no street address exists, provide a geographic description [e.g., Intersection of Routes 9 and 55]), county, city, state and zip code.
3. Indicate whether the facility is located on Indian Lands.
4. Indicate whether the facility is operated by a municipality, state agency, or a department of the federal government.
5. Enter the latitude and longitude of the approximate center of the facility or site in decimal degrees. Latitude and longitude can be obtained by accessing DEQ's Facility Profiler web site at <http://deq12.deq.state.or.us/fp20/>. If a GPS unit is used to determine the coordinates, set the datum to the state standard, NAD83, and the display to read in decimal degrees.

6. Indicate whether the facility was or is previously covered under an NPDES or WPCF stormwater permit. If so, include the permit number.
7. Enter the 4 digit SIC code which identifies the facility's primary activity, and second 4 digit SIC code identifying the facility's secondary activity, if applicable. SIC codes can be obtained from the Standard Industrial Classification Manual, 1987 or from Federal OSHA's web site at <http://www.osha.gov/oshstats/sicer.html>.
8. 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 ft² to acres

Divide 54,450 ft² by 43,560 square feet per acre: 54,450 ft² / 43,560 ft² per acre = 1.25 acres.
9. Check "Yes" or "No" as appropriate to indicate whether you have paved or roofed over a formerly exposed, pervious area (i.e., lawn, meadow, dirt or gravel parking lot) to qualify for no exposure. If yes, also indicate approximately how much area was paved or roofed over and is now impervious area.

SECTION C. EXPOSURE CHECKLIST

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 a condition of no exposure. You must obtain (or already have) coverage under a WPCF stormwater permit, or make changes to re-establish non-exposure conditions.

SECTION D. CERTIFICATION STATEMENT

State statutes provide for penalties for submitting false information on this application form. State regulations require this application 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, 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.

Where to File This Form

Send signed original document to:

DEQ UIC Senior Hydrogeologist
700 NE Multnomah St., Suite 600
Portland, OR 97232

Or email to: uic@deq.state.or.us

For office use only – UIC Verification of No-Exposure Certification	
Agency: DEQ Water Quality – UIC Program	UIC #:
Inspection Date:	Date Approved:
Inspector (signature):	Inspector (print name):