



# Obtaining Coverage under the MSGP

# Congratulations!

Your facility is required to obtain and comply with the APDES MSGP Permit!

The facility drains to Waters of the United States or an MS4

AND

The facility SIC Code indicates that the facility is one of the 29 APDES Industrial Sectors requiring MSGP Coverage.

## **APDES MSGP APPENDIX A §1.2 Duty to Comply**

A permittee shall comply with all conditions of the permittee's APDES permit. Any permit noncompliance constitutes a violation of 33 U.S.C 1251-1387 (Clean Water Act) and state law and is grounds for enforcement action including termination, revocation and reissuance, or modification of a permit, or denial of a permit renewal application. A permittee shall comply with effluent standards or prohibitions established under 33 U.S.C. 1317(a) for toxic pollutants within the time provided in the regulations that establish those effluent standards or prohibitions even if the permit has not yet been modified to incorporate the requirement.

# Permit Coverage Options

APDES MSGP Coverage may be obtained in one of two ways.

The facility either:

1. Qualifies for a No Exposure Certification; or
2. Must implement the APDES MSGP fully.



# No Exposure Certification

If the permittee is covered by this permit and becomes eligible for a no exposure exclusion from permitting under 40 CFR 122.26(g), the permittee may file a No Exposure Certification.

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, and
- ▶ intermediate products, by-products, final products, or waste products.



# No Exposure Certification

The Term “**Storm-Resistant Shelter**” includes completely roofed and walled buildings or structures.

Storm-resistant shelters also includes structures with only a top cover supported by permanent supports, but with no side coverings, provided material within the structure is not subject to wind dispersion (sawdust, powders, etc.), or track-out, and there is no storm water discharged from within the structure that comes into contact with any materials.”





# No Exposure Certification

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;
- ▶ 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).



# No Exposure Certification

- ▶ The No Exposure Certification for Exclusion **applies to an entire facility** and not individual outfalls or areas located within the facility covered under a single permit
- ▶ The permittee must submit a No Exposure Certification to DEC once every five years from the initial date of filing.



# No Exposure Certification

- ▶ If the permittee is covered by this permit, and becomes eligible for a no exposure exclusion from permitting under 40 CFR 122.26(g), the permittee may file a No Exposure Certification.
- ▶ The permittee is no longer required to have a permit upon submission of a complete and accurate no exposure certification to DEC.
- ▶ If the permittee is no longer required to have permit coverage because of a no exposure exclusion and has submitted a No Exposure Certification form to DEC, they are not required to submit a Notice of Termination (NOT).
- ▶ The permittee must submit a No Exposure Certification to DEC once every five years from the initial date of filing.
- ▶ Facilities which have multiple industrial sectors covered under one permit cannot use the No Exposure Certification form to remove those individual sectors from permit coverage.
- ▶ The No Exposure Certification for Exclusion applies to an entire facility and not individual outfalls or areas located within the facility covered under a single permit.



## No Exposure Certification for Exclusion from APDES Storm Water Permitting

For Agency Use  
Permit Tracking #: \_\_\_\_\_

Submission of this No Exposure Certification constitutes notice that the entity identified in Section I does not require permit authorization for its storm water discharges associated with industrial activity in Alaska identified in Section II under ADEC's Storm Water Multi-Sector General Permit (MSGP) due to the existence of a condition of no exposure.

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 provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from APDES 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, the facility is not eligible for the no exposure exclusion.

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 obligated to comply with the terms and conditions of 40 CFR 122.26(g), adopted by reference at 18 AAC 83.010(b)(3).

**ALL INFORMATION MUST BE PROVIDED ON THIS FORM.**

Detailed instructions for completing this form and obtaining the no exposure exclusion are provided on page 3.

Section I. Facility Operator Information			
Organization:		Contact Person:	
Mailing Address:	Street (PO Box):		
	City:	State:	Zip:
	Phone:	Fax (optional):	Mobile:
	Email:		
Section II. Facility Location Information			
Facility Name:			
Location Address:	Street:		Borough or Similar Government Subdivision
	City:	State:	Zip:
	Alaska		
	Latitude:	Longitude:	Determined By: <input type="checkbox"/> GPS <input type="checkbox"/> USGS Topographic Map <input type="checkbox"/> Other:
	If you used a USGS Topographic map, what was the scale?		
Estimated area of industrial activity at your site exposed to storm water: (acres)			
Is this a federal facility? <input type="checkbox"/> Yes <input type="checkbox"/> No      Is this facility located on Indian Lands? <input type="checkbox"/> Yes <input type="checkbox"/> No			



# Obtaining Coverage Under the MSGP

The facility drains to Waters of the United States or an MS4

AND

The facility SIC Code indicates that the facility is one of the 29 APDES Industrial Sectors requiring MSGP Coverage;

AND

Your Facility does not qualify for a No Exposure Certification.

YOUR FACILITY IS REQUIRED TO OBTAIN COVERAGE UNDER THE MSGP!

### Section III. 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 these questions, (1) through (11), you are not eligible for the no exposure exclusion.

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 storm water.

☐ ☐

(2) Materials or residuals on the ground or in storm water inlets from spills/leaks.

☐ ☐

(3) Materials or products from past industrial activity.

☐ ☐

(4) Material handling equipment (except adequately maintained vehicles).

☐ ☐

(5) Materials or products during loading/unloading or transporting activities.

☐ ☐

(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).

☐ ☐

(7) Materials contained in open, deteriorated, or leaking storage drums, barrels, tanks, and similar containers.

☐ ☐

(8) Materials or products handled/stored on roads or railways owned or maintained by the discharger.

☐ ☐

(9) Waste material (except waste in covered, non-leaking containers [e.g., dumpsters]).

☐ ☐

(10) Application or disposal of process wastewater (unless otherwise permitted).

☐ ☐

(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.

☐ ☐



# NO EXPOSURE CERTIFICATION LIMITATIONS

- ▶ Facilities which have multiple industrial sectors covered under one permit cannot use the No Exposure Certification form to remove those individual sectors from permit coverage.
- ▶ The No Exposure Certification for Exclusion applies to an entire facility and not individual outfalls or areas located within the facility covered under a single permit.



# Obtaining Coverage under the MSGP

- 1) Develop the MSGP SWPPP for your facility (MSGP 5.2);
- 3) Select, design, install and implement Non-Numeric Technology Based Effluent Limits;
  - a) All facilities must provide controls in Section 4.2 of MSGP; and
  - b) Sector specific controls are provided in Section 11 of the MSGP.
- 4) Submit Notice of Intent to the Alaska Department of Environmental Conservation (MSGP 2.2);
  - a) Authorization to discharge begins 7 days following NOI submission.
- 5) Pay permit authorization fee.
  - a) Initial permit authorization fee is paid with NOI; and
  - b) The permit authorization fee (\$735) is paid annually.

