

**Instructions for
Form MTR-NE – Industrial No Exposure Certification Form for
Multi-Sector Storm Water Discharges Associated with Industrial Activity (MTR000000)**

IMPORTANT: Permittees must submit the standard Department Industrial No Exposure Certification Form (MTR-NE) form. The MTR-NE form must be signed by an authorized signatory and submitted to the Department. There is \$500 new application fee associated with this Industrial No Exposure Certification, and it must be submitted with the form. Submittal of an Industrial No Exposure Certification form is an optional alternative to obtaining permit coverage for discharges of storm water associated with industrial activity.

If the facility submits a No Exposure Certification form and the associated fee, **the industrial activity is not excluded until approval by the Department and the Department issues a certification letter.**

If the permittee is covered by the MSGP and becomes eligible for a no exposure exclusion from permitting, the permittee may file an Industrial No Exposure Certification Form. Until the Department approves the submitted No Exposure Certification and issues a certification letter, the permittee remains responsible for compliance with the terms of the authorization under the MSGP, including fees and/or violations. The owner/operator is not required to submit a NOT-SWI upon receipt of the no exposure certification letter.

Any owner/operator with a No Exposure Certification Letter where a potential for exposure exists and the condition of no exposure is not valid must apply for and obtain coverage under the MSGP or an Individual MPDES Permit.

The Conditional Exclusion for No Exposure is addressed in Part 1.6 of the MSGP. Permit documents and related forms are available on the DEQ website at: <https://deq.mt.gov/water/assistance>.

You must type or print legibly; forms that are not legible will be returned. Do not leave blank spaces. You must maintain a copy of the completed form for your records. Submit the MTR-NE form to:

Montana Department of Environmental Quality
Water Protection Bureau
P.O. Box 200901
Helena, MT 59620-0901

OVERVIEW: No exposure means all industrial materials and activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. Discharges composed entirely of storm water due to no exposure may submit an Industrial No Exposure Certification Form instead of obtaining coverage under this MSGP. The exclusion is **not available** for the following:

- Storm water discharges associated with construction activities;
- Individual outfalls (facility-wide basis only); and
- A circumstantial change in industrial materials and activities exposures (such exposures may be subject to enforcement for unpermitted discharges).

RECERTIFICATION: The owner/operator must recertify the conditional exclusion for no exposure **once every five years from the original Department issued certification letter date** through resubmittal of the Department’s Industrial No Exposure Certification Form and the associated recertification fee of \$300.

INSTRUCTIONS

Section A – MTR-NE Status

Check the appropriate box. For renewal and modification status provide the 9-digit authorization number (beginning with MTRNE) assigned to your permitted industrial activity.

New: Use only if no prior MTR-NE form was submitted for this facility/operation.

Renewal: Use only if renewing a No-Exposure.

Modification: Use only if this facility/operation has No-Exposure coverage and the authorization needs to be updated.

Section B – Applicant (Owner/Operator) Information

An “owner or operator” is entity that **owns, leases, operates, controls, or supervises** the industrial activity. The owner or operator can be identified as an individual, organization, or business name. The owner or operator acknowledges eligibility for coverage under this MSGP and agrees to comply with the effluent limits and conditions of this permit (including determining eligibility for and requesting a no exposure exclusion from permitting).

Section C – Facility or Operation Information:

Enter the legal or official name and complete street address. If the street address is not available, include the nearest intersection or other identifying information. Provide the latitude and longitude for the location of the approximate center point of the industrial activity site. It is preferred the latitude and longitude location be specified in decimal degrees, accurate to the fourth decimal place. If the preferred decimal degrees are not used, then the latitude and longitude must be provided in degrees, minutes, and seconds, accurate to the nearest second.

Indicate if any industrial activity covered under this NOI will occur on Indian Reservations. This Permit applies to all areas of the State of Montana, except for Indian Reservations. Please contact EPA for industrial activity within Indian Reservations.

Provide a reliable estimate of the total acreage of the facility/operation or activity site. In estimating the size of the regulated area, be sure to include all areas on the facility/operation or activity site which fall under the definition for “storm water discharge associated with industrial activity” and/or “storm water discharge associated with mining and oil and gas activity”.

Standard Industrial Classification (SIC) Codes: Select at least one SIC code that best reflects the type of industrial activity or description of the nature of the business applicable to MSGP coverage. SIC codes can be obtained at <https://www.census.gov/naics/> or <http://www.osha.gov/pls/imis/sicsearch.html>.

First column- Provide a brief narrative description of the nature of the business.

Second column- List in descending order of significance, the four-digit SIC codes that best describes the facility/operation in terms of the principal products or services produced or provided.

Third column- Based on the Primary SIC code provided, go to Table 3.4-A of the MSGP and determine which Industrial Sector / Subsector Category the facility/operation is assigned. This will be a short alphanumeric description such as N1 or AA2. Indicate only one subsector in the space provided. Be sure to indicate the “subsector” if the “sector” is subdivided into subsectors.

Section D – Existing or Pending Permits, Certifications, or Approvals

Provide a list of permits, certifications, and/or approvals from state or federal regulatory agencies regarding the industrial activity.

Section E – Facility or Operation Description

Provide a narrative description of the nature of the industrial activities at the permittee’s facility/operation. Include a detailed description of the procedures, methods, process flows, equipment and materials, and relative timeframes (including seasonal periods of inactivity) of activities and operations that contribute to the nature of the permittee’s industrial facility. Identify potential pollutant sources within the detailed description of the nature of the industrial activities which may reasonably be expected to affect the quality of storm water discharges at this site.

Examples of potential pollutant sources include, but are not limited to, immediate access roads or rail lines used or created by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; materials handling sites; refuse sites; sites used for residual treatment, storage, or disposal; sites used for the application or disposal of process wastewaters; shipping and receiving areas; manufacturing buildings; storage areas for raw materials and intermediate and final products; loading or unloading of dry bulk materials or liquids, outdoor storage of materials, and waste management practices; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water.

Attach a topographic map of the area extending to at least one mile beyond property boundaries that identifies and labels all listed requirements. Confirm that a complete and detailed map is attached.

Section F – Exposure Checklist

Complete the checklist by answering “Yes” or “No” to all of the ten questions. If “Yes” is answered to any of the ten questions, the industrial activity is not eligible for the “no exposure” exclusion and coverage must be obtained under the MSGP or an Individual MPDES Permit. Contact the Department for more information.

Section G – Certification

The MTR-NE Form certification must be completed in accordance with ARM 17.30.1323 and Part 4.18 of the MSGP.