

No exposure certification: Qualifying for and maintaining no exposure status

What is no exposure?

No exposure means all the materials and industrial activities at a facility are indoors or protected from exposure to rain, snow, snowmelt and run-on. If that describes your facility, you can apply for the no exposure certification.

Benefits of the no exposure certification:

- no application fees
- no annual fees
- no Stormwater Pollution Prevention Plan (SWPPP) development
- no monthly stormwater inspections
- no benchmark or effluent sampling
- no annual reporting

Do I qualify?

To qualify for the no exposure certification, 100% of a facility's industrial activities and materials must be indoors or in a storm-resistant shelter 100% of the time (facility wide compliance 100% of the time).

A storm-resistant shelter can be:

- a completely roofed and walled building
- a structure with a top cover but no side walls as long as stormwater cannot flow through the structure, rain or snow that are blown in by the wind are prevented from running out and significant materials cannot get out of the area

Industrial materials stored outdoors must be sheltered or moved indoors before a facility can qualify for the no exposure certification. Common materials include raw materials; chemicals; intermediate products and byproducts; final products; wastes or scrap; hazardous wastes; machinery and equipment; fuels; dust from stacks, vents or baghouses; and dumpsters or compactors that are open, uncovered or allowed to drain.

Industrial activities conducted outdoors must be moved indoors or sheltered before a facility can qualify for the no exposure certification. Common activities include using or cleaning equipment; loading, unloading or moving materials; grinding, cutting, buffing, blasting or brazing; storing materials or equipment; and vehicle washing, fueling or maintenance.

What is allowed to be outside?

Materials and activities that are allowed to be outside at a facility applying for the no exposure certification are:

- adequately maintained vehicles, such as forklifts, industrial vehicles and staff vehicles
- lidded dumpsters and roll-offs that are completely covered and able to prevent any material inside from leaking out of the container

- materials that do not contaminate stormwater, such as finished products that are intended to be used outdoors, or clean pallets in good condition
- drums, barrels, tanks, and similar containers that are sealed without operational taps or valves and are not deteriorating or leaking
- above ground storage tanks (ASTs) physically separate from vehicle maintenance operations, with no piping, pumps or other equipment leaking contaminants that could contact stormwater

Note: It is recommended by the U.S. Environmental Protection Agency (EPA) that ASTs be surrounded by physical containment where feasible, such as an impervious dike, berm, or concrete containment structure.

For more information about what qualifies for the no exposure certification, see Minnesota Pollution Control Agency (MPCA) Industrial Stormwater webpage “Step 2: Certify for no exposure” at <https://www.pca.state.mn.us/business-with-us/step-2-certify-for-no-exposure> or contact the Industrial Stormwater Program at iswprogram.pca@state.mn.us or industrial wastewater compliance and enforcement staff on the Industrial Stormwater webpage - <https://www.pca.state.mn.us/business-with-us/industrial-stormwater-compliance-and-enforcement-staff>.

How and when can I apply?

Use the same online application service to apply for the no exposure certification or the full permit. The qualifying questions for the no exposure certification are in the permit application. Application information can be found on the MPCA Industrial Stormwater webpage “Step 5: Apply for or modify your permit/certification” at <https://www.pca.state.mn.us/business-with-us/step-5-apply-for-or-modify-your-permit-certification>.

You may apply at any time for the no exposure certification. The certification is valid as long as the requirements of no exposure are met, but no longer than the five-year life of the Industrial Stormwater General Permit. Facilities that have the no exposure certification must re-apply when the Industrial Stormwater Permit is reissued. The permit was most recently reissued in June 2025 and will expire in March 2030.

Note that the no exposure certification cannot be transferred to a new facility owner. The previous owner must terminate their no exposure certification, and the new owner must fill out a new application online via e-Services. Instructions for terminating an active no exposure certification can be found on the MPCA Industrial Stormwater webpage “Step 5: Apply for or modify your permit/certification” at <https://www.pca.state.mn.us/business-with-us/step-5-apply-for-or-modify-your-permit-certification>.

Steps for receiving and keeping the no exposure certification:

1. Meet the requirements for no exposure certification status prior to applying.
2. Apply for the no exposure certification by completing the certification form.
3. Receive confirmation of your facility’s no exposure certification from the MPCA. A copy of record will be emailed to the person whose MPCA e-Services account was used to submit the no exposure certification application.
4. Navigate to the Industrial Stormwater Permit search webpage, <https://webapp.pca.state.mn.us/isw/permits>, and search for your facility in the “Permit ID/No exposure certification ID” field using your no exposure certification ID.
5. Take a screenshot of your ‘facility summary page’ showing your active no exposure certification ID, facility name, and effective date of the no exposure certificate.
6. Print the screenshot and post in an area of the facility where the most employees and visitors will see it.
7. Watch for changes at your facility that could expose materials or activities to rain, snow, snowmelt or runoff. Make sure your facility continues to meet the requirements of no exposure.

8. Apply for a permit as soon as possible if you discover that your facility no longer qualifies for the no exposure certification.

Why does the MPCA allow the no exposure certification?

The goal of the Industrial Stormwater Permit is to keep Minnesota's water resources clean. This is done in part by limiting the amount of pollutants in stormwater. Facilities that certify for the no exposure certification minimize what is exposed to stormwater. Pollutants in the facility's stormwater are minimized as a result.

Three common problems and solutions

Issue 1: Storage of materials

Shelter problems

One of the most common problems inspectors find is facilities not meeting the definition of a storm-resistant shelter. Storm-resistant shelters must be either completely roofed and walled or have a top cover and be built to prevent stormwater from contacting materials inside of the shelter. Simply having a canopy over an area does not meet the requirements of a storm-resistant shelter.

This is especially a problem for materials that can be blown around by wind. Even materials sheltered from precipitation can still be deemed exposed if they can be mobilized by wind. Common materials that can be blown around by wind are sawdust, baghouse dust and small plastic or metal parts.

Dumpster problems

Common at metal fabrication facilities, large roll-off bins used for collecting scrap and other waste materials are often without covers or lids. Open or leaking dumpsters are common at all facilities. To qualify for a no exposure certification, these bins must have a 100% impervious cover or lid and be leak proof. If the cover fails for some reason and water gets into the dumpster, the dumpster cover must be replaced, and the stormwater inside must not be discharged to the ground.

Storage solutions

- Make sure dumpsters are in good condition and not rusty. The cover material must be durable, sturdy and not break down in sunlight. Inspect often to check that covers do not allow stormwater to enter the dumpster. Maintain dumpsters by keeping lids closed, plugging all drain holes and replacing when seams crack or holes develop.
- Shelter or enclose stored containers and drums. Remember, even closed containers can leak.
- Provide appropriate shelter during loading and unloading.
- Provide appropriate shelter for unused industrial equipment.

Issue 2: Transfer of materials and liquids

Transfer of materials and liquids can include fueling vehicles or equipment, mixing wastes, pumping liquids from tankers to storage facilities, pneumatic transfer of dry materials, transfer by mechanical conveyor systems or transfer of bags, boxes, drums or other containers by forklift or other material handling equipment. All transfer operations must be conducted indoors or within a storm-resistant shelter to qualify for a no exposure certification.

Transfer problems

- spills and leaks during fuel, liquid and materials delivery
- spills caused by "topping off" fuel tanks
- precipitation falling on a fuel or material delivery area or stormwater running into that area
- washing down fuel or material delivery areas

- leaking storage tanks
- exposure or leaks during loading and unloading of waste

Transfer solution: covers and berms

- Cover loading and unloading areas and perform these activities on an impervious pad that is bermed or a sloped area to enable easy collection of spilled materials and help prevent run-on of precipitation. Provide overhangs or door skirts to enclose trailer ends at loading docks. A loading dock would be considered adequately covered if the roof of the facility covers the loading area, and the dock is raised more than two feet off the ground to prevent stormwater run-on.
- Avoid loading/unloading materials during a precipitation event.

Transfer solution: drainage and spill management and prevention

- Inspect all containers for leaks or damage prior to unloading or loading materials.
- If liquid or powdered materials are transferred in bulk, make sure hose connection points at storage containers are inside canopies and containment areas or use drip pans in areas where spillage may occur.
- Use a dead-end sump where materials can be directed.
- Use rubber seals in truck loading dock areas to contain spills.
- Drain hoses back into the truck or railcar after loading or unloading materials.
- Confine loading and unloading activities to designated storm-resistant shelter areas outside drainage pathways and away from surface waters.
- Close nearby storm drains during loading or unloading activities.
- Use dry cleanup methods such as sweeping or squeegees rather than washing down the areas.
- Provide diversion berms, dikes or grassed swales around the perimeter of the area to limit run-on.
- Minimize stormwater run-on into unloading and loading areas by grading the ground so stormwater drains away from them.
- For rail transfer, install a drip pan within the rails to collect spillage.

Transfer solution: inspections

- Inspect the unloading and loading areas regularly to identify problems before they occur.
- Inspect all connection equipment (such as hoses and couplings) before performing unloading/loading activities and replace when necessary.

Issue 3: Process equipment

Compactors

Trash compactors often have hydraulic leaks and contents falling out, especially during loading or unloading. Make sure to inspect and maintain compactors on a regular basis to check that no exposure is maintained. Provide shelter if necessary.

Bag houses and other particulate matter collectors

Facilities with an MPCA air quality permit may have particulate matter or visible deposits of residuals on the ground that come from roof vents or bag houses. Bag houses are typically found at cabinet shops, woodworking facilities and other industries with dust collection equipment. Sawdust (or other dust) conveyance systems sometimes feed into a semi-trailer and may develop leaks or spill sawdust during the filling or removal operations.

Preventative maintenance is a must in making sure these materials do not pollute stormwater. Make sure filters are in good condition and not torn or otherwise allowing dust to escape. Inspect the equipment frequently to check for spills or buildup that is exposed to stormwater.

Compressed gas storage

Some facilities have large storage tanks for compressed gas that may have compressors or valves needing lubrication. Keep these tanks and equipment in good condition to prevent leaks and spills. Most of these tanks are made of steel so monitor them for rust as well.

No exposure resources

EPA 833-B-00-001 Guidance Manual for Conditional Exclusion from Storm Water Permitting Based On “No Exposure” of Industrial Activities to Stormwater: <https://www.epa.gov/sites/default/files/2016-02/documents/noxguide.pdf>

EPA 833-F-00-015 Stormwater Phase II Final Rule Conditional No Exposure Exclusion for Industrial Activity: <https://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=P100EN98.txt>

Best Management Practices Guidance Manual, Chapters 4 and 5: <https://www.pca.state.mn.us/sites/default/files/wq-strm3-26.pdf>

MPCA Industrial Stormwater fact sheet “Manufacturers: Reduce your exposure to stormwater regulations” at <https://www.pca.state.mn.us/sites/default/files/wq-strm3-15.pdf>

More information

For more information visit the MPCA Industrial Stormwater webpages at <https://www.pca.state.mn.us/business-with-us/industrial-stormwater> or contact the Industrial Stormwater Program at iswprogram.pca@state.mn.us or industrial wastewater compliance and enforcement staff at Industrial Stormwater webpage - <https://www.pca.state.mn.us/business-with-us/industrial-stormwater-compliance-and-enforcement-staff>