



Support for your business wherever you are on your path to sustainability

Small Business: What You Need to Know

Industrial Storm Water Permits and No Exposure Certification

June 2021

Does my facility need a storm water permit?

Storm water is runoff from precipitation, including rain, snow, and ice melt that can become contaminated with pollutants in quantities sufficient to adversely affect water quality. The Industrial Storm Water Discharge Permit was created to regulate the contamination of storm water from contact with industrial materials stored outside or activities that may result in contamination. Facilities verifying that no materials are exposed to storm water can elect the No Exposure exemption on the application form.

Your facility may need a permit if included in the regulated industrial categories

Many manufacturers may not realize they need to have a storm water permit. These are the Standard Industrial Classification (SIC) codes of industries that need to evaluate whether they need a permit or can qualify for a No Exposure Certification.

Tier 2 Light Manufacturers—SIC & Description			
2000-2099	Food & Kindred Products	3100-3199	Leather & Leather Products
2100-2199	Tobacco Products	3230-3239	Products of Purchased Glass
2200-2299	Textile Mill Products	3400-3499	Fabricated Metal Products
2300-2399	Apparel & Other Textile Products	3500-3599	Industrial & Commercial Machinery & Computer Equipment
2434	Wood Kitchen Cabinets	3600-3699	Electronic & Other Electrical Equipment & Components
2500-2599	Furniture & Fixtures	3700-3799	Transportation Equipment
2650-2659	Paperboard Containers & Boxes	3800-3899	Instruments & Related Products
2670-2679	Misc. Converted Paper Products	3900-3999	Misc. Manufacturing Industries
2700-2799	Printing, Publishing, & Allied Industries	4221	Farm Product Warehousing & Storage
2830-2839	Drugs	4222	Refrigerated Warehousing & Storage
2850-2859	Paints & Allied Products	4225	General Warehousing & Storage
3000-3099	Rubber & Misc. Plastics Products		

If unsure how to find which SIC best fits your facility, use an online search tool to look for more detailed descriptions of SIC: <https://www.naics.com/search>.

If your facility is not included on this list, before assuming a storm water permit is not required be sure to review the other categories of SIC that have different sets of requirements: https://dnr.wi.gov/topic/stormwater/industrial/sic_codes.html. These categories include heavy manufacturing, recycling operations like scrap yards, those with large outdoor storage piles, among others.

How would a facility impact storm water?

Common sources of industrial storm water contamination include:

- open dumpsters
- open or partially covered compactors or dumpsters (no lids or overhang roofs)
- compressor and cooling system blow down
- hydraulic lines or pumps for compactors
- open empty drums or other containers that contained chemicals
- uncovered drainpipes outside the facility
- outside fuel dispensing operations
- contaminated or oil-soaked pallets
- uncovered loading dock platforms
- petroleum residuals or rusting/oxidation staining on the concrete or ground from past or present industrial activity
- uncovered aboveground storage tanks where chemicals or fuel oils are filled or dispensed
- outside storage of chemicals and/or empty containers
- visible traces of paint residue or process dust on roofs, driveways, or sides of buildings
- scrapped metal press components or other equipment stored outside or uncovered (oils and greases); rusting/oxidation on containers, scrap metal, or machinery
- material or vehicle storage areas, including uncovered dumpsters

If the facility has any of these condition present, an industrial storm water permit is needed, and an application should be submitted. If your facility qualifies for No Exposure Certification, the facility must apply for this lieu of an industrial storm water permit.

How do I eliminate sources of contamination and qualify for No Exposure?

The first step would be to move all sources of contamination inside, provide a storm-resistant shelter, and/or dispose of unneeded materials. There are permanent covers that allow easy open/close while adding or removing waste from the container. Storm-resistant shelters include completely roofed and walled buildings or structures, as well as structures with only a top cover but no side coverings, provided material under the structure is not otherwise subject to any run-on and subsequent runoff of storm water.

For some common situations that create exposure, here are potential ways to prevent contamination of storm water:

Lidded dumpsters containing waste materials: Containers must be completely covered, with permanent covers rather than temporary. Containers must not leak, no drain plugs or valves. Contents or fluids may not drain from containers or be spilled while loading containers onto a garbage truck. Uncovered storage of industrial refuse and trash is not allowed.

Transferring materials/products between buildings: This is allowed, provided the materials/products are protected from precipitation, leaks, and spills.

Particulate emissions from roof stacks and/or vents: Contact between storm water and particles emitted from roof stacks or vents MAY disqualify applicants for No Exposure Certification. Solid material discharged into the air from roof stacks or vents must be in accordance with the following applicable environmental protection regulations (e.g., air quality control standards):

- particles must not come into contact with or contaminate storm water
- deposits of particles or residuals not otherwise regulated must not be allowed to collect, move, or be swept away with storm water runoff
- pollutants from roof stacks or vents must not be “tracked out” or carried on the tires of vehicles
- OR facility must have permit coverage under the DNR’s Air Program

Above ground storage tanks (ASTs): ASTs located outside, but not filled or drained outside are generally allowed and not considered exposed.

- ASTs may fill or drain materials outside without exposure if transfer valves are used. Transfer valves are typically used to dispense heating oil, propane, butane, chemical feedstocks, or fuels such as gasoline, diesel, or compressed natural gas.
- EPA recommends, wherever feasible, that ASTs be surrounded by some type of physical containment (e.g., an impervious dike, berm, or concrete retaining structure) to prevent runoff in the event of a structural failure or leaking transfer valve.

Loading docks: Loading dock and other areas with petroleum residual staining may be covered over with asphalt to eliminate the possibility of contaminants being transported to water bodies or infiltrated into groundwater during storm water runoff events. In addition, use dry clean up methods for any spills from trucks rather than washing down surfaces and provide overhangs or door skirts to enclose trailer ends at truck loading/unloading docks.

Once sources of contamination are eliminated, complete the online application form requesting No Exposure Certification and include representative photos of the exterior of the facility. On a case-by-case basis, the DNR may inspect a facility to confirm that it qualifies. Certification is required to be resubmitted every 5 years.

Apply for No Exposure by using the online e-permitting system. The e-permitting system is available for use at: <https://dnr.wisconsin.gov/permits/water>. Follow the links to the electronic permit application system. Along with the link to the ePermit system, there are training videos and a PDF help document on the permit forms page: <https://dnr.wisconsin.gov/topic/Stormwater/industrial/forms.html>.

What if our facility needs a permit?

If you cannot meet the No Exposure criteria, apply for a permit. Walk through the information on the Industrial storm water permit overview page: <https://dnr.wi.gov/topic/stormwater/industrial/overview.html>. Review the different types of permits and apply as needed. Follow the links to the electronic permit application system. Along with the link to the ePermit system, there are training videos and a PDF help document on the permit forms page: <https://dnr.wisconsin.gov/topic/Stormwater/industrial/forms.html>.

Whether you are issued a storm water discharge general permit as a Tier 1 or Tier 2 facility, or you fit in one of the three industry-specific general permits, you must meet the requirements in that permit until it is revised by the department. The general permits for storm water discharge have an expiration date, however you do not need to re-apply for the permit. The department will update the permit as appropriate and send you a new version when it is finalized.

In addition to obtaining a permit, you will need to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). DNR has created a manual on SWPPP development <https://dnr.wi.gov/topic/stormwater/documents/WTIndSWPPManual.pdf>. Other documents to help understand the storm water management requirements are found on the publications page: <https://dnr.wisconsin.gov/topic/Stormwater/publications.html>.


Additional resources/information

Contact the local stormwater staff with questions on potential areas of exposure, permits or submitting the No Exposure Certification form: <https://dnr.wi.gov/topic/stormwater/contacts.html>.

U.S. Environmental Protection Agency has created a fact sheet series for 29 industrial categories. Each fact sheet describes common sources of storm water contamination and how to minimize discharge of pollutants: <https://www.epa.gov/npdes/industrial-stormwater-fact-sheet-series>.

What are some examples of exposure versus no exposure?

The following pictures show examples of similar scenarios where one demonstrates no exposure and the other shows exposure is likely.

Good	Bad
 <p data-bbox="240 1522 764 1581">Untreated Wood Pallets with no contaminant staining/residuals</p>	 <p data-bbox="852 1522 1393 1581">Possible rusting metal materials, due to piling; condition of other materials is unknown</p>

Good	Bad
------	-----



55-gallon drums are under cover and have secondary containment

Permanent hard covers on trash receptacle and luger box



Fueling station does not have secondary containment, potential for damage to hoses, also, a rusting pipeline with valves.



Tarped luger boxes can only be on site during active construction, otherwise must have permanent covers, no rusting, holes, or valves to qualify for No Exposure Certification.



Lid is permanent, but not working properly—gaps



DISCLAIMER — This document is intended solely for compliance assistance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. This document does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This document does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this document will be made by applying the governing statutes and administrative rules to the relevant facts.

Wisconsin's Small Business Environmental Assistance Program

DNR.WI.GOV, search "small business"

DNRsmallBusiness@WI.GOV • (855) 889-3021

