

AI #178666

MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

NO EXPOSURE CERTIFICATION for Exclusion from NPDES Storm Water Permitting

RECEIVED
JUL 10 2019

Dept. of Environmental Quality

Submission of this **No Exposure Certification** constitutes notice that the entity identified below does not require permit authorization for its storm water discharges associated with industrial activity due to the existence of a condition of no exposure. This certification must be submitted every five years from the date of submittal.

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 (40 CFR 122.26(g)(2)):

- 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 NPDES 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 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 the conditional exclusion for "no exposure" of industrial activities and materials to storm water found in 40 CFR 122.26(g). Please mail the completed form to: **Chief, Environmental Permits Division, Office of Pollution Control, P.O. Box 2261, Jackson, MS 39225**

For this certification to be considered, all questions on this form must be answered. If an item does not apply to you, enter "NA" (for "not applicable") to show that you considered the question. All answers must be printed or typed.

Facility Operator Information

(All correspondence will be sent to this address).

1. Contact Name: Cameron Floyd 2. Phone Number: 662-840-6060
3. Legal Company Name: RK Metals LLC
4. Mailing Address: Street: P.O. Box 3455
- City: Tupelo State: MS Zip Code: 38803
5. Email: Cameron@rk-metals.com

Facility/Site Location Information

(If no street address exists, provide the nearest named road
[e.g., Intersection of Routes 9 and 55]. Do not use a P.O. Box number).

1. Facility Name: RK Metals LLC
2. Street Address: 127 Godfrey Dr.
- City: Vernon County: Lee Zip Code: 38879
3. Email: Cameron@rk-metals.com

CONFIDENTIAL

MEMORANDUM FOR THE DIRECTOR, FBI

FROM: SAC, NEW YORK (100-100000)

SUBJECT: [Illegible]

Reference is made to New York letter to Bureau dated 10/11/54.

Enclosed for the Bureau are two copies of a letterhead memorandum dated 10/11/54.

Very truly yours,

[Illegible Signature]

Special Agent in Charge

Enclosure

100-100000

CONFIDENTIAL

100-100000

100-100000

NO EXPOSURE CERTIFICATION

Facility/Site Location Information (Continued)

3. Latitude: _____ Longitude: _____ Source: _____

4. Nearest named receiving stream: _____

5. Was the facility or site previously covered under an NPDES storm water permit? ☐ Yes ☒ No

If yes, enter the NPDES permit or coverage number: _____

6. Does this facility have other environmental permits? ☐ Yes ☐ No

If yes, provide type (Air, Hazardous Waste, NPDES, Pretreatment, State Operating) and permit number

7. SIC/Activity Codes: Primary: _____ Secondary (if applicable): _____

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".)

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 | ☐ | ☒ |

If you answer "Yes" to any of these questions (1) through (11), you are not eligible for the no exposure exclusion and must be covered by an NPDES Storm Water Permit (individual permit or coverage under a general permit.)

...and I have been and I intend to keep them. I
...and I have been and I intend to keep them. I

1. Information is the knowledge or understanding of a subject or situation. It is the process of gathering and interpreting data to make sense of the world around us.

6. REMARKS: 1000-1010 1010-1020 1020-1030 1030-1040 1040-1050 1050-1060 1060-1070 1070-1080 1080-1090 1090-1100 1100-1110 1110-1120 1120-1130 1130-1140 1140-1150 1150-1160 1160-1170 1170-1180 1180-1190 1190-1200 1200-1210 1210-1220 1220-1230 1230-1240 1240-1250 1250-1260 1260-1270 1270-1280 1280-1290 1290-1300 1300-1310 1310-1320 1320-1330 1330-1340 1340-1350 1350-1360 1360-1370 1370-1380 1380-1390 1390-1400 1400-1410 1410-1420 1420-1430 1430-1440 1440-1450 1450-1460 1460-1470 1470-1480 1480-1490 1490-1500 1500-1510 1510-1520 1520-1530 1530-1540 1540-1550 1550-1560 1560-1570 1570-1580 1580-1590 1590-1600 1600-1610 1610-1620 1620-1630 1630-1640 1640-1650 1650-1660 1660-1670 1670-1680 1680-1690 1690-1700 1700-1710 1710-1720 1720-1730 1730-1740 1740-1750 1750-1760 1760-1770 1770-1780 1780-1790 1790-1800 1800-1810 1810-1820 1820-1830 1830-1840 1840-1850 1850-1860 1860-1870 1870-1880 1880-1890 1890-1900 1900-1910 1910-1920 1920-1930 1930-1940 1940-1950 1950-1960 1960-1970 1970-1980 1980-1990 1990-2000 2000-2010 2010-2020 2020-2030 2030-2040 2040-2050 2050-2060 2060-2070 2070-2080 2080-2090 2090-2100 2100-2110 2110-2120 2120-2130 2130-2140 2140-2150 2150-2160 2160-2170 2170-2180 2180-2190 2190-2200 2200-2210 2210-2220 2220-2230 2230-2240 2240-2250 2250-2260 2260-2270 2270-2280 2280-2290 2290-2300 2300-2310 2310-2320 2320-2330 2330-2340 2340-2350 2350-2360 2360-2370 2370-2380 2380-2390 2390-2400 2400-2410 2410-2420 2420-2430 2430-2440 2440-2450 2450-2460 2460-2470 2470-2480 2480-2490 2490-2500 2500-2510 2510-2520 2520-2530 2530-2540 2540-2550 2550-2560 2560-2570 2570-2580 2580-2590 2590-2600 2600-2610 2610-2620 2620-2630 2630-2640 2640-2650 2650-2660 2660-2670 2670-2680 2680-2690 2690-2700 2700-2710 2710-2720 2720-2730 2730-2740 2740-2750 2750-2760 2760-2770 2770-2780 2780-2790 2790-2800 2800-2810 2810-2820 2820-2830 2830-2840 2840-2850 2850-2860 2860-2870 2870-2880 2880-2890 2890-2900 2900-2910 2910-2920 2920-2930 2930-2940 2940-2950 2950-2960 2960-2970 2970-2980 2980-2990 2990-3000 3000-3010 3010-3020 3020-3030 3030-3040 3040-3050 3050-3060 3060-3070 3070-3080 3080-3090 3090-3100 3100-3110 3110-3120 3120-3130 3130-3140 3140-3150 3150-3160 3160-3170 3170-3180 3180-3190 3190-3200 3200-3210 3210-3220 3220-3230 3230-3240 3240-3250 3250-3260 3260-3270 3270-3280 3280-3290 3290-3300 3300-3310 3310-3320 3320-3330 3330-3340 3340-3350 3350-3360 3360-3370 3370-3380 3380-3390 3390-3400 3400-3410 3410-3420 3420-3430 3430-3440 3440-3450 3450-3460 3460-3470 3470-3480 3480-3490 3490-3500 3500-3510 3510-3520 3520-3530 3530-3540 3540-3550 3550-3560 3560-3570 3570-3580 3580-3590 3590-3600 3600-3610 3610-3620 3620-3630 3630-3640 3640-3650 3650-3660 3660-3670 3670-3680 3680-3690 3690-3700 3700-3710 3710-3720

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1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

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1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

NO EXPOSURE CERTIFICATION

Certification Statement

I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of "no exposure" and obtaining an exclusion from NPDES storm water permitting.

I certify under penalty of law that there are no discharges of storm water 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)).

I understand that I am obligated to submit a no exposure certification form once every five years to MDEQ and, if requested, to the operator of the local municipal separate storm sewer system (MS4) into which the facility discharges (where applicable). I understand that I must allow the MDEQ or MS4 operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request. I understand that I must obtain coverage under an NPDES permit prior to any point source discharge of storm water from the facility. I understand that a copy of this certification must be retained at the facility.

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 Name¹: Mark Lovel

Print Title¹: Manager

Signature¹: [Signature]

Date: 6/28/19

¹ Certification shall be signed according to the Mississippi Water Pollution Control Regulations (11 Miss. Admin. Code Pt. 6, R. 1.1.2.C(1).)

For a corporation, by a responsible corporate officer.

For a partnership, by a general partner.

For a sole proprietorship, by the proprietor.

For a municipal, state or other public facility, by principal executive officer, mayor, or ranking elected official.

Instructions and Additional Information

Law

Federal law at 40 CFR Part 122.26 prohibits point source discharges of storm water associated with industrial activity to waters of the U.S. without a National Pollutant Discharge Elimination System (NPDES) permit. However, according to 40 CFR 122.26(g), NPDES permit coverage is not required for discharges of storm water associated with industrial activities identified at 40 CFR 122.26 (b)(14)(i)-(ix) and (xi) if the discharger can certify that a condition of "no exposure" exists at the industrial facility or site. Storm water discharges from construction activities identified in 40 CFR 122.26(b)(14)(x) are not eligible for the no exposure exclusion. Submission of this No Exposure Certification constitutes notice that the entity identified above does not require permit authorization for its storm water discharges associated with industrial activity due to the existence of a condition of no exposure.

Obtaining and Maintaining the No Exposure Exclusion

This form is used to certify that a condition of "no exposure" exists at the industrial facility or site described herein. By signing and submitting this No Exposure Certification 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). A No Exposure Certification must be provided for each facility qualifying for the no exposure exclusion. In addition, the exclusion from NPDES 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. If conditions change resulting in the exposure of materials and activities to storm water, the facility operator must obtain coverage under an NPDES storm water permit immediately. This certification must be resubmitted at least once every five years. The "no exposure" certification is non-transferable.

Instructions for Determining a Facility's Latitude and Longitude

Enter the latitude and longitude of the facility entrance in degrees/minutes/seconds. Latitude and longitude can be obtained from United States Geological Survey (USGS) quadrangle or topographic maps, GPS, or by accessing web sites that have latitude and longitude finders.

Latitude and longitude for a facility in decimal form must be converted to degrees (°), minutes (') and seconds (") for proper entry on the certification form. To convert decimal latitude or longitude to degrees/minutes/seconds, follow the steps in the following example.

Example: Convert decimal latitude 45.1234567 to degrees (°), minutes ('), and seconds (").

a/ The number to left of the decimal point are the degrees: 45°

b/ To obtain minutes, multiply the first four numbers to the right of the decimal point by 0.006: $1234 \times 0.006 = 7.404$

c/ The numbers to the left of the decimal point in the result obtained in (b) are the minutes: 7'

d/ To obtain seconds, multiply the remaining three numbers to the right of the decimal from the result obtained in (b) by 0.06: $404 \times 0.06 = 24.24$. Since the numbers to the right of the decimal point are not used, the result is 24".

e/ The conversion for 45.1234567 = 45° 7' 24".

THE UNITED STATES OF AMERICA
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D. C. 20250

TO: [Illegible]
FROM: [Illegible]
SUBJECT: [Illegible]

1. [Illegible]
2. [Illegible]
3. [Illegible]
4. [Illegible]
5. [Illegible]

6. [Illegible]
7. [Illegible]
8. [Illegible]
9. [Illegible]
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11. [Illegible]
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15. [Illegible]



16. [Illegible]
17. [Illegible]
18. [Illegible]
19. [Illegible]
20. [Illegible]

FILE COPY

July 10, 2019

Mr. Mark Lovil
R K Metals, LLC
PO Box 3455
Tupelo, MS 38803

Dear Mr. Lovil:

Re: R K Metals, LLC
No Exposure Certification
Lee County

This letter acknowledges our receipt of the "No Exposure Certification" for the above referenced facility. If there is exposure subsequent to this certification, exclusion from NPDES storm water permitting is no longer allowed, and your facility must immediately request coverage under the Baseline Storm Water General Permit for Industrial Activities. Please remember this certification is in effect for a five (5) year period and, your facility must recertify a condition of "no exposure" of industrial activities to storm water prior to the 5-year anniversary of this submittal.

You may also confirm that your certification has been processed and review your basic facility information using this search tool: http://opc.deq.state.ms.us/search_ai.aspx. Additional storm water information, an associated guidance manual, and the "No Exposure Certification" form, may be downloaded from the MDEQ website at this address:

<https://www.mdeq.ms.gov/permits/environmental-permits-division/types-of-general-permits/>.

Thank you for reducing the amount of pollutants in our State's waters by eliminating industrial activities exposed to rain events. Please be aware if the operation changes, you may need to re-evaluate the applicability of the No Exposure Certification. Please contact Florance Bass at (601) 961-5171 if you have further questions.

Sincerely,

A handwritten signature in blue ink that reads "Krystal Rudolph".

Krystal Rudolph, P.E., BCEE
Chief, Environmental Permits Division