

Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

JUL 02 2020

ANDREW MATTHEWS
VICE PRESIDENT/GENERAL MANAGER
TORAY COMPOSITE MATERIALS (AMERICA), INC.
PO BOX 248
DECATUR AL 35602

RE: No Exposure Certification (NEC000262)
Effective Date of Certification **June 25, 2020**
Toray Composite Materials (America), Inc.
2030 Alabama Highway 20 West
Decatur, AL 35601
Morgan County (103)

Dear Mr. Matthews:

This letter is to acknowledge receipt of a No Exposure Certification on June 29, 2020 for the facility referenced above. The certification indicated that the applicable SIC Code(s) for this facility are 2824 and 3624 and that the facility has no exposure of industrial activity or material to storm water. Facilities with SIC Code(s) 2824 and 3624 fall into Categories II and XI respectively, which require storm water permitting only if there is industrial exposure. Therefore, given the conditions you stated, a General Permit for the discharge of storm water is not required at this time. If conditions at your facility should change which could affect the requirements for permitting, please contact this office.

Assuming the facility maintains its no exposure status, submission of a completed properly signed No Exposure Certification is required once every five years. The current no exposure exclusion for this facility will expire five (5) years from the above effective date of certification (i.e. the date the no exposure certification was signed). Therefore, to ensure there is no lapse in the no exposure exclusion, a new No Exposure Certification should be completed and submitted **on or shortly before June 24, 2025**.

If you should have any questions regarding this matter, please contact Monique Miles by email at mmm@adem.alabama.gov or by phone at (334) 271-7853.

Sincerely,



Lee Warren, Chief
Industrial General Permit Section
Water Division

File: NOEX/12261



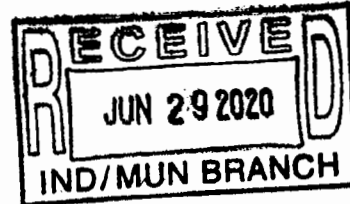
'TORAY'

Toray Composite Materials America, Inc.
P.O. Box 248
Decatur, AL 35602

June 24, 2020

Monique Miles
Alabama Department of Environmental Management
Industrial General Permit Section
Industrial/Municipal Branch
P.O. Box 301463
Montgomery, Alabama 36130-1463

**Re: No Exposure Certification – NEC000262
Toray Composite Materials (America), Inc.
2030 Alabama Highway 20 West
Decatur, Alabama 35601
Morgan County**



Mrs. Miles

Please find the enclosed "No Exposure Certification" for Toray Composite Materials (America), Inc. (CMA) for exclusion from NPDES stormwater permitting requirements.

If there are any questions or comments, please feel free to contact me using the information below.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Conlon".

John M. Conlon
Sr. EHS Manager
Toray Composite Materials (America), Inc.
mike.conlon@toraycma.com
(256) 260-1010

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM)
NO EXPOSURE CERTIFICATION
FOR EXCLUSION FROM NPDES STORMWATER PERMITTING FOR INDUSTRIAL ACTIVITIES**

This form should be used to submit a No Exposure Certification for exclusion from NPDES stormwater permitting for industrial activities pursuant to ADEM Admin. Code r. 335-6-6-.03(2) and 40 CFR §122.26. *This form was adapted from EPA NPDES Form 3510-11 (09-08).* Submission of this No Exposure Certification constitutes notice that the entity identified in Item 1.A does not require NPDES permit authorization for its stormwater discharges associated with industrial activity at the facility identified in Section 1 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 stormwater discharges (e.g., rock salt).

For more information in determining whether a condition of no exposure exists at your facility, please review EPA's *Guidance Manual for Conditional Exclusion from Storm Water Permitting Based On "No Exposure" of Industrial Activities to Storm Water*, which may be downloaded from <https://www3.epa.gov/npdes/pubs/noxguide.pdf>.

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 in Item 1.A 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). Mail completed form to:

**ADEM-Water Division
Industrial General Permit Section
PO Box 301463
Montgomery, Alabama 36130-1463**

PURPOSE OF SUBMITTAL

Initial Certification (i.e. Facility has never submitted a No Exposure Certification or has never been covered under an NPDES Permit)

Recertification (No Exposure Certifications must be signed and submitted every 5 years for exclusion to remain valid)

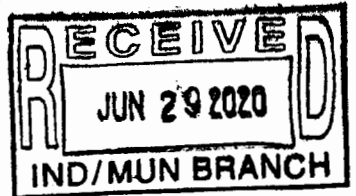
Provide No Exposure Certification Number issued by the Department NEC 000262

Modification of Certification (i.e. Updated No Exposure Certification is being submitted)

Provide No Exposure Certification Number issued by the Department NEC 000262

Please indicate the reason for submitting a new certification prior to the expiration of the 5-year period:

- Change to Name of Permittee or Facility without an Ownership Change
- Change to Name of Permittee or Facility with an Ownership Change
- Parent Company Ownership Change that does not affect the Name of Permittee or Facility
- Other _____



SECTION 1. FACILITY IDENTIFICATION INFORMATION

A. Name of Facility Owner/Operator: Toray Composite Materials (America), Inc.

Name of Facility: Toray Composite Materials (America), Inc.

Mailing Address of Facility Owner/Operator: - PO Box or Street Route P.O. Box 248

City, State and Zip Code Decatur, Alabama 35602-0248

B. Location (STREET ADDRESS) of Facility: 2030 Alabama Highway 20 West

City, County: Decatur, Morgan

C. Provide the latitudinal and longitudinal coordinates of the facility location. (Front Gate):

Latitude 34.6278427 N Longitude 087.0251352 W

D. Facility Contact Person:

Name: John M. Conlon

Title: Sr. Environmental, Health & Safety (EHS) Manager

Phone Number: (256) 260-1010

Email Address: mike.conlon@toraycma.com

E. Standard Industrial Code (SIC) [The primary SIC Code should reflect the primary activity of business (i.e. generates the highest revenue)]:

SIC Code	SIC Description
1. <u>3624</u> (Primary)	<u>Carbon and Graphite Products</u>
2. <u>2824</u> (Secondary)	<u>Manufacturing Manmade Organic Fibers, Except Cellulosic</u>

F. Total size of site associated with industrial activity: 50 acres

G. Is the facility currently or has it previously been covered under an NPDES stormwater permit? Yes No

If Yes, what is/was the NPDES permit number? ALG250035

H. Has this facility previously had a No Exposure Certification? Yes No

If yes, please provide the NEC number referenced in ADEM's acceptance letter NEC 000262

I. Have you paved or roofed over a formerly exposed, pervious area in order to qualify for the no exposure exclusion? Yes No

If yes, please indicate approximately how much area was paved or roofed over. Completing this question does not disqualify you for the no exposure exclusion. However, your permitting authority may use this information in considering whether stormwater discharges from your site are likely to have an adverse impact on water quality, in which case you could be required to obtain permit coverage.

Less than one acre

One to five acres

More than five acres

SECTION 2. 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 | |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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 stormwater |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Materials or residuals on the ground or in stormwater inlets from spills/leaks |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3. Materials or products from past industrial activity |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Material handling equipment (except adequately maintained vehicles) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Materials or products during loading/unloading or transporting activities |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Materials or products stored outdoors (except final products intended for outside use [e.g., new cars] where exposure to stormwater does not result in the discharge of pollutants) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8. Materials or products handled/stored on roads or railways owned or maintained by the discharger |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Waste material (except waste in covered, non-leaking containers [e.g., dumpsters]) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 10. Application or disposal of process wastewater (unless otherwise permitted) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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 stormwater outflow |

SECTION 3. CERTIFICATION STATEMENT

Instructions: The information contained in this form must be certified by a responsible official (RO) as defined in ADEM Administrative Code r. 335-6-6-.09 "Signatories to Permit Applications and Reports." By definition, a responsible official is:

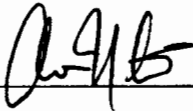
- (a) In the case of a corporation, by a principal executive officer of at least the level of vice president, or a manager assigned or delegated in accordance with corporate procedures, with such delegation submitted in writing if required by the Department, who is responsible for manufacturing, production, or operating facilities and is authorized to make management decisions which govern the operation of the regulated facility;
- (b) In the case of a partnership, by a general partner;
- (c) In the case of a sole proprietorship, by the proprietor; or
- (d) In the case of a municipal, state, federal, or other public entity, by either a principal executive officer or ranking elected official.

"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 stormwater permitting.

I certify under penalty of law that there are no discharges of stormwater 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 the NPDES permitting authority 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 NPDES permitting authority, 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 stormwater from 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."

RO Name (type or print): Andrew Matthews RO Signature:  Date Signed: 6/25/2020
RO Title: Vice-President / General Manager RO Email Address: andrew.matthews@toraycma.com

