This form is used to request that the N. C. Division of Water Resources (NCDWR) grant electronic signature credentials to the individuals outlined in the form for NPDES wastewater permittees. The Electronic Signature Agreement (ESA) must be submitted in hard copy form with original notarized signatures for each individual requesting the credentials. For the most recent version of this form please check NCDWR’s website at: <https://deq.nc.gov/about/divisions/water-resources/edmr/forms-and-reports>

Please use the following instructions as a checklist to ensure that all required information is included. Following these instructions will help provide a quicker review time and reduce the need for additional information requests.

* **Section A. Owner / Organization Information**
* Provide the Owner / Organization information requested. The Owner is the legal entity to which permits have been issued and may be an individual or organization.
* This section requires a Responsible Official. For an organization the information provided should be the person with legal signature authority in accordance with 40 CFR 122.22.
* This section requires an email address for the responsible official. Email will be the primary contact method so you must assure that any changes or updates to email addresses are provided to NCDWR in a timely manner.
* **Section B. Agreement Conditions**
	+ - Please read these conditions carefully as they outline the terms of the electronic submittal credentials.
* **Section C. Permit/Facility Information**
	+ - Provide information on the facilities and wastewater NPDES permits associated with the Owner/ Organization indicated in Section A of the form. If you need more space a supplemental page that may be used and attached is available on our eDMR website at: <https://deq.nc.gov/about/divisions/water-resources/edmr/forms-and-reports>
		- If there will be a document submitter other than the responsible official, then please indicate the individual’s name in this section in the last Column.
	+ **Section D. Responsible Official Signature**
		- Provide the information, signature and notarization for the responsible official as designated throughout the form.
		- You must return this section with original signatures, copies will not be accepted.
		- A responsible official will be granted electronic submittal credentials even if other submitters are included in the form.
	+ **Section E. Submitter Signature**
		- If you are only requesting electronic submittal credentials for the responsible official, then you do not need to complete Section E.
		- If you are requesting electronic submittal credentials for one or more individuals other than the responsible official, then those individuals must be included in Section C with the permits/facilities they will have electronic responsibilities for.
		- NCDWR must be notified in writing of delegations of signature authority. If you are providing information for a Submitter that does not already have documentation of this authority on file with the NCDWR then you may be asked to provide this documentation
		- You must include the Section E Submitter Signature page for each submitter listed in Section C.
		- Provide the information, signature and notarization for the submitter as designated.
		- You must return this section with original signatures, copies will not be accepted.
* **Questions**
	+ If you have any questions about the NCDWR ESA submittal process, please contact us at:
	+ Phone: (919) 707-3681
	+ Email: eDMRadmin@ncdenr.gov
* **SUBMIT COMPLETED FORM TO:**

Information Processing Unit

Attn: Electronic Signature Agreements

1617 Mail Service Center

Raleigh, NC 27699-1617

**N.C. Department of Environmental Quality**

**Division of Water Resources**

**Electronic Signature Agreement**

Federal regulations require that electronic documents must have valid electronic signatures if Title 40 of the Code of Federal Regulations requires handwritten signatures on the paper documents they replace. Valid electronic signature refers to an electronic signature on an electronic document that has been created with an electronic signature credential.

This Electronic Signature Agreement, when finalized and approved, will allow the individuals with electronic signature credentials to sign electronically a variety of required permit documents in lieu of the submittal of signed paper copies. The submittal of Electronic Discharge Monitoring Reports (eDMR) will be available once your electronic signature credentials are in place. Some agreements for document submittals or acceptance, as noted in the Agreement Conditions (Section B.), are not currently available electronically but are included here to have the agreements in place and to avoid the need to complete future submittal of agreement forms when these systems are initiated.

1. **Owner / Organization Information**

|  |  |
| --- | --- |
| **Owner/Organization Name:** |  |
| **Responsible Official**:(as identified in accordance with 40 CFR 122.22) |  |
| **Street Address:** |  |
| **City:** |  |
| **State / Zip:** |  |
| **Phone Number:** | ( ) |
| **Email Address:**\*email will be the primary method of contact for the electronic submittal process so it is important to have an accurate email available at all times |  |

1. **Agreement Conditions**

To receive and accept the required electronic signature credential, consisting of a user name and password, issued by the North Carolina Division of Water Resources (NCDWR) in order to sign electronic documents submitted to NCDWR’s Electronic Document Systems and to receive electronic documents from NCDWR’s systems;

The Responsible Official and Submitter (if applicable) named in this form do herby:

1. Understand that this Electronic Signature Agreement requires me to submit electronic documents to NCDWR’s approved eDMR system under the authorized program in lieu of paper submissions.
2. Understand that this Electronic Signature Agreement requires me to accept electronic transmissions, in lieu of paper transmissions of all permits, permit modifications, authorizations to construct, and any other correspondence related to reviewing and processing permits from NCDWR. This authorization will not become effective until NCDWR establishes a system for processing electronic documents; I am notified in writing from NCDWR that use of the electronic systems has officially been initiated; and North Carolina rules and statutes are changed to allow the implementation of electronic submittal and acceptance of documents.
3. Understand that this Electronic Signature Agreement requires me to submit electronic all necessary information for processing of NPDES application including information for renewal of existing permits, modification to existing permits, and applications for new discharge permits. The submittals may include all necessary applications and supporting documentation to NCDWR’s approved system for electronic submittals in lieu of paper submissions. This authorization will not become effective until NCDWR establishes a system for processing electronic documents; I am notified in writing from NCDWR that use of the electronic systems has officially been initiated; and North Carolina rules and statutes are changed to allow the implementation of electronic submittal and acceptance of documents.
4. Understand that this Electronic Signature Agreement requires me to accept electronic submissions, in lieu of paper submissions, of all Notices of Deficiency, Notices of violations, Civil Penalty Assessments, and any other correspondence related to compliance with federal and state water quality laws and regulations that might be sent by NCDWR. This authorization will not become effective until NCDWR establishes a system for processing electronic documents; I am notified in writing from NCDWR that use of the electronic systems has officially been initiated; and North Carolina rules and statutes are changed to allow the implementation of electronic submittal and acceptance of documents.
5. Agree to protect both the electronic signature credential, consisting of my user name and password, and security questions and answers, from compromise and from use by anyone except me. Specifically, I agree to maintain the secrecy of my electronic signature credential and security questions and answers; I will not divulge or delegate my credential or security questions and answers to any other individual; I will not store my credential or security questions and answers in an unprotected location; and I will not allow my electronic signature credential or security questions and answers to be written into computer scripts to achieve automated log-in.
6. Understand and agree that I will be held as legally bound, obligated, and responsible for the use of my electronic signature as I would be using my hand-written signature.
7. Understand that I will be informed through my registered email address whenever my user name or password has been modified.
8. Understand that eDMR reports the last date my user name and password were used immediately after successfully logging into eDMR.
9. Agree to contact the NCDWR eDMR Administrator via email at eDMRadmin@ncdenr.gov as soon as possible, but no later than 24 hours, after suspecting or determining that my user name and/or password have become lost, stolen or otherwise compromised.
10. Agree that I will review the contents of all electronic submissions prior to submission.
11. Understand that I will automatically receive an email receipt at my registered email address from the NCDWR’s eDMR system for any submission that contains a valid electronic signature, identifying the document received, the signatory, and the date and time of receipt.
12. Agree to contact the NCDWR eDMR Administrator via email at eDMRadmin@ncdenr.gov if I do not receive an email receipt as specified above within five (5) business days for any electronically signed submission using my credentials.
13. Agree that if I received an email notification for an activity that I do not believe that I performed, I will notify the NCDWR eDMR Administrator via email at eDMRadmin@ncdenr.gov as soon as possible, but no later than 24 hours, after receipt.
14. Agree to report, within 24 hours of discovery, any evidence of discrepancy between any electronic document I have signed and submitted and what the NCDWR eDMR has received from me by contacting the NCDWR eDMR Administrator via email at eDMRadmin@ncdenr.gov.
15. Understand that the NCDWR eDMR’s system will automatically reject any electronic document submitted without a valid electronic signature if such signature is required.
16. Agree to contact the NCDWR eDMR Administrator via email at eDMRadmin@ncdenr.gov within ten working days if my duties change and I no longer need to interact with eDMR on behalf of my organization.
17. Agree to notify the NCDWR eDMR Administrator via email at eDMRadmin@ncdenr.gov if I cease to represent the regulated entity specified above as signatory of that organization’s electronic submissions as soon as this change in relationship occurs.
18. Understand that the NCDWR may contact the Organization’s Responsible Official, who signs below to authorize me as a signatory for the Owner/Organization, in order to verify my identity.
19. Agree to retain a copy of this signed agreement as long as I continue to represent the regulated entity specified above as signatory of the Organization’s electronic submissions.
20. Certify that I have the authority to enter into this Agreement on behalf of the Organization identified above, and I am a signatory authorized to represent that Organization, and I am able to sign and submit reports and other information on behalf of that Organization in the capacity required by statute and/or regulation.
21. **Permit/Facility Information**

Approval under this Electronic Signature Agreement is applicable to the following permits and if applicable to the Submitters, if noted here and in Section E:

|  |  |  |  |
| --- | --- | --- | --- |
| **Permit Number1** | **Facility Name** | **Facility Address** | **Submitter2 (**if applicable**)** |
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1. You may only include permits associated with One owner. If more space is needed for additional permits or submitters you may attach separate pages. A supplemental sheet is available at: <https://deq.nc.gov/about/divisions/water-resources/edmr/forms-and-reports>
2. A separate Section E must be included for each Submitter in order to obtain a hard copy signature and notarization for all entities. If more than one individual will have submitter permissions for the same permit, then indicate this on separate rows.
3. **Responsible Official Signature**

The Responsible Official, as identified in accordance with [40 CFR 122.22](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=3fbc1e2b88e53c49c94c1bcc1a6b680e&ty=HTML&h=L&mc=true&r=SECTION&n=se40.24.122_122), is the appropriate individual with the authority to sign and submit reports for the organization.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(printed name)*, have the authority to enter into this Agreement for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(Owner/Organization Name)*.

I request the NCDWR grant me and, if included in Sections C and E of this form, the named Submitter(s), an electronic signature credential to submit and accept documents electronically on behalf of my organization.

I acknowledge that I, and the individual(s) named in Sections C and E (if applicable), work at/for my organization and have authority to submit and accept electronic documents and act as a signatory for purposes of the NCDWR’s electronic document systems.

By submitting this application, I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(printed name)*, have read, understand, and accept the terms and conditions of this Electronic Signature Agreement. I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Responsible Official Signature Title Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email Address Phone Number

\*email will be the primary method of contact for the electronic submittal process so it is important to have an accurate email

 available at all times

If you are a current eDMR submitter please provide your User Id: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 User Id

Subscribed and sworn to before me this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Signature of Notary Public

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Printed Name of Notary Public

My Commission Expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(SEAL)

1. **Submitter Signature**

The Submitter (electronic signature applicant) is a user other than the Responsible Official who submits this agreement to request to sign reports electronically. The Submitter is given signatory authority by an individual identified as the Responsible Official by the Owner/Organization to sign reports and other information and to accept electronic documents.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(printed name)*, am authorized by the Responsible Official name in this document, who does have the authority under the applicable standards, to enter into this agreement for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(Owner/Organization Name)*.

By submitting this application, I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(printed name)*, have read, understand, and accept the terms and conditions of this Electronic Signature Agreement. I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Submitter Signature Title Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email Address Phone Number

\*email will be the primary method of contact for the electronic submittal process so it is important to have an accurate email

 available at all times

If you are a current eDMR submitter please provide your User Id: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 User Id

Subscribed and sworn to before me this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Signature of Notary Public

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Printed Name of Notary Public

My Commission Expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(SEAL)