

E-Signature Agreement

A. Valid Electronic Signature

Valid electronic signature refers to an electronic signature on an electronic document that has been created with an electronic signature device. The identified signatory is uniquely entitled to use the signature device for signing that document provided that this device has not been compromised, and where the signatory is an individual who is authorized to sign the document by virtue of his or her legal status or his or her relationship to the entity on whose behalf the signature is executed.

B. Electronic Signature Device

Electronic signature device refers to a code or other mechanism that is used to create electronic signatures. Where the device is used to create an individual's electronic signature, then the code or mechanism must be unique to that individual at the time the signature is created and he or she must be uniquely entitled to use it. The device is compromised if the code or mechanism is available for use by any other person. EPA's DRGP forms provided under a temporary, partial or complete waiver utilize the Agency's Adobe electronic signature device. If validated, the forms will indicate all signatures are valid, and the forms will be locked from further changes.

C. Signature Requirement

1. By providing a signed e-signature agreement, the signatory is confirming they have reviewed and their e-signature meets the following requirements:
 - E-signatures must be valid at the time of signing.
 - E-documents cannot be altered without detection after signing.
 - Each signatory must have an opportunity to:
 - Review the e-document content, in human-readable format, before signing; and
 - Review the required certification statement, which includes criminal penalty implications of false certification, at the time of signing.
 - Signatories must sign either an electronic signature agreement or subscriber agreement for the e-signature device used to create his or her e-signature.
 - The system must automatically respond to the receipt of an e-document with an acknowledgement identifying the e-document received, the signatory, and the date and time of receipt. It must also be sent to at least one address that does not share the same access controls as the account used to make the electronic submission.
 - For each e-signature device, the identity of its unique user and the users' relationship to the entity for which he or she is signing has been determined by the state, tribe, or local government.
2. By providing form signatures in electronic format, the signatory:
 - Agrees to protect their signature device, such as a password or hardware token, from compromise;
 - Agrees to report any evidence of compromise; and
 - Understands that the signature they submit electronically with the device carries the same legal force and obligation as a hand written signature.

Note: This requirement must be met at the time of e-signature certification.

**U.S. Environmental Protection Agency
Office of Enforcement and Compliance Assurance
NPDES e-Reporting Tool Electronic Signature Agreement**

In accepting the electronic signature credential issued by the U.S. Environmental Protection Agency (EPA) to sign electronic documents submitted to EPA, and as a representative for:

Electronic Signature Holder Company Information

Organization Name	
Address	
City, State, Zip	
Province (if applicable)	
Country	
Phone Number	
E-mail Address	
Registrant's Name	
Registrant Title	
CDX User Name (optional)	

I, _____ ,
(Responsible Official or Duly Authorized Representative)

(1) Agree to protect the electronic signature credential, consisting of my user identification and password, from use by anyone except me. Specifically, I agree to maintain the secrecy of the password; I will not divulge or delegate my user name and password to any other individual; I will not store my password in an unprotected location; and I will not allow my password to be written into computer scripts to achieve automated login.

(2) Agree to contact the U.S. EPA as soon as possible, but no later than 24 hours, after suspecting or determining that my user name and password have become lost, stolen or otherwise compromised.

(3) Agree to notify EPA within ten working days if my duties change and I no longer need to interact with the EPA on behalf of my organization. I agree to make this notification by notifying the EPA permitting staff at 1-617-918-1989 or npdes.generalpermits@epa.gov.

(4) Understand that I will be informed through my registered electronic mail (e-mail) address whenever my information has been modified.

(5) Understand that EPA reports the last date my user identification and password were used immediately after successfully submitting this form.

(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 whenever I electronically sign and submit an electronic document to the EPA, I will receive an e-mail at my registered e-mail address; This e-mail will inform me that a submission has been made to EPA and will contain instructions to view information regarding the submission, including my Copy of Record (COR).

(8) Agree that if I receive an e mail notification for any activity that I do not believe that I performed, I will notify EPA as soon as possible, but no later than 24 hours, after receipt.

(9) Agree to contact the EPA if I do not receive an e mail notification within 5 business days for any electronically signed submission using my credentials.

(10) Agree to report, within 24 hours of discovery, any evidence of discrepancy between any electronic document I have signed and submitted and what the EPA has received from me by contacting the EPA.

(11) Agree to notify the EPA if I cease to represent the regulated entity specified above as signatory of that organization's electronic submissions by contacting the EPA as soon as this change in relationship occurs and to sign a surrender certification at that time.

(12) 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 company's electronic submissions.

(13) Certify that I am the Responsible Official or their Duly Authorized representative as defined in 40 C.F.R. § 122.22 for the facilities listed in this agreement; and I certify that I have the authority to enter into this Agreement on behalf of the facilities listed above; and

(14) Certify that by signing and submitting this agreement, I 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 agreement and 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.

(15) Agree to provide and maintain an email address by which to receive communications from the EPA system. I understand that this account must be accessible only by me and that I have an affirmative obligation to check this email account regularly. If any email sent to me by EPA is returned as undeliverable, I will explain why this occurred when requested by the Agency.

Signed:

(Responsible Official or Duly Authorized Representative)

Date:
