Construction General Permit (CGP) Electronic Filing User's Guide

Version 6.0 – Updated 6/20/2022

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1. Introduction to the EPA Construction General Permit (CGP) eReporting

The NPDES stormwater program requires permits for discharges from construction activities that disturb one or more acres, and discharges from smaller sites that are part of a larger common plan of development or sale. Construction stormwater permits include effluent limits for erosion and sediment control, pollution prevention, and site stabilization from the Construction and Development Effluent Guidelines and Standards regulations.

Depending on the location of the construction site, either the state (if it has been authorized to implement the NPDES stormwater program) or EPA will administer the permit. In areas where EPA is the permitting authority, operators of regulated construction sites are generally permitted under EPA's 2022 Construction General Permit (CGP).

This User Guide will walk users through the electronic processes for submitting a Notice of Intent (NOI) and a Low Erosivity Waiver (LEW) using EPA's NPDES eReporting Tool (NeT) for CGP.

2. System Requirements and Eligibility for Waivers

2.1 System Requirements for Reporting Electronically

The CDX and NeT CGP Tool are accessible online. They can be accessed from any computer, laptop, or tablet with internet access. Smartphones may be used, but they are not supported. If you encounter any problems with NeT CGP while using a smartphone, please change to a computer or laptop.

NeT CGP utilizes pop-up windows to convey some information. You must have pop-ups enabled on your browser to view these messages.

Users should access the NeT CGP Tool using a current internet browser such as Internet Explorer or Google Chrome with pop-up windows enabled.

2.2 System-wide NeT CGP Features

There are features that exist throughout NeT CGP. Below is a description of a few of them.

2.2.1 Required Data Fields

Within the NOI and LEW forms, certain data fields are required to adequately and completely apply for CGP coverage via an NOI or apply for a LEW. Data fields marked with an asterisk (*) are required to contain a value prior to the form being able to be certified and submitted. If a form is attempted to be certified without entering a value for all required fields within the form, an error message will appear letting the user know which required field(s) are missing and need to be addressed.

If you attempt to save a form or advance to the next section within the form without entering data for all of the required data fields, NeT CGP will display the following:

*This field is required.

2.2.2 Follow-Up (Subsequent) Questions

While entering data in NeT CGP, depending upon the answers provided for some questions, additional questions may appear. For example, if you indicate on the form that the project will take place on Indian Country Lands, NeT CGP will present a subsequent question asking for the name of the Indian Country Lands. Primary questions on the forms are not labeled. However, follow-up questions are proceeded with an arrow (➔).

2.2.3 Column Headers within Tables

In some places throughout NeT CGP, tables exist. For example, there is a table of previously drafted or submitted

NOIs/LEWs and there is a table of Discharge Points on the NOI. Within NeT CGP, if you see a table, the information contained within the table can be re-sorted by clicking on any of the column headers within the table. The first click on a column header will re-sort the list in ascending order. Clicking on a column header a second time will re-sort the list in descending order.

2.2.4 Business Rules

Some fields within NeT CGP contain 'business rules' that require the data within that field to be of a certain type or of a certain format. For example, wherever NeT CGP asks for a phone number, the value entered for the phone number must be in numeric format and 10 characters in length. In NeT CGP, if you attempt to enter an invalid value into a data field with a business rule assigned to it, you will receive an error message letting you know how the data should be entered.

2.2.5 Time Out Feature

NeT CGP follows Federal IT guidelines in establishing its time out feature. The user will be logged out of NeT CGP (and CDX) automatically after 20 minutes of inactivity. As the User advances from section to section within a form, NeT CGP will automatically save the record and restart the time out countdown.

2.2.6 Informational Support

Some data fields are marked with an icon. If you see this icon, this means you can click the icon and a pop-up window will appear with additional information that may assist you when filling out the form.

2.3 Waivers from Electronic Reporting

If you do not have the adequate equipment or resources needed to electronically report, you may elect to apply for a waiver from electronically reporting. This User Guide is intended to be used for those reporting electronically. If you wish to inquire or seek additional information about applying for a waiver from electronically reporting, please contact your regional CGP Coordinator (see Appendix B of the Permit for a list of CGP Contacts and their information).

3. Relevant Terms and Acronyms

The following table explains terms and acronyms (if applicable) that are used throughout this guide.

Term	Acronym	Definition
Central Data Exchange	CDX	Point of entry on the Environmental Information Exchange Network for environmental data exchanges to the EPA. A CDX account is required to access NeT CGP.
NPDES eReporting Tool	NeT	An internet-based system for submitting Notices of Intent (NOIs) for coverage and other forms for NPDES general permits, as well as some NPDES program reports.
Notice of Intent	NOI	Application used by an Organization to apply for coverage under the Construction General Permit.
Low Erosivity Waiver	LEW	For projects disturbing less than five (5) acres or less of land with an R-Factor of five (5) or less, a Low Erosivity Waiver may be granted by the permitting authority.

Notice of Termination	NOT	Application used by an Organization to be removed from or to cease coverage under the Construction General Permit.
Signatory	None	Can prepare, sign, and submit all forms in NeT CGP. This is the person who will certify, under penalty of law, that the information submitted was prepared under his or her direction and supervision in accordance with the system designed to ensure that qualified personnel properly gathered and evaluated the submitted information. The Certifier will electronically sign the NOIs, LEWs, and NOTs. This role cannot be delegated.
Preparer	None	Can prepare all forms in NeT on behalf of the Certifier at the facility but is not authorized by EPA's regulations to sign and submit any forms. Upon completion of an NOI, LEW, or NOT application, the Preparer will flag the form for certification.

4. How to Access NeT CGP Electronically

To apply for a CGP NOI/LEW, you must first create or log in to your CDX account and add the NeT - EPA NPDES Stormwater Construction General Permit program service.

4.1 Determine Your Role

A **Preparer** can prepare a CGP NOI/LEW for the Signatory to review and certify.

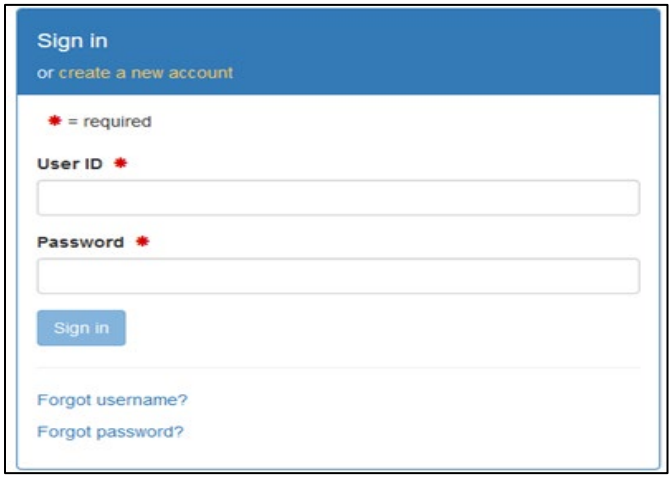
A **Signatory** can prepare the NOI/LEW and certify and submit. This role cannot be delegated.

4.2 For Users with an Existing CDX Account (Adding the CGP Program Service)

Users who have previously used the eNOI system already have an existing CDX account (eNOI also used CDX as its registration tool). For these users, there is no need to create a new account from scratch. Instead, users with an existing CDX account only need to add the "NETCGP: NeT - NPDES Stormwater Construction General Permit" program service to their CDX account.

4.2.1 Access NeT CGP

(i) Visit https://npdes-ereporting.epa.gov/net-cgp. Enter your **User ID** and **password** and click the **Sign in** button. Alternatively, you can go to https://cdx.epa.gov and enter your **User ID** and **password** and then click the **Log in** button.



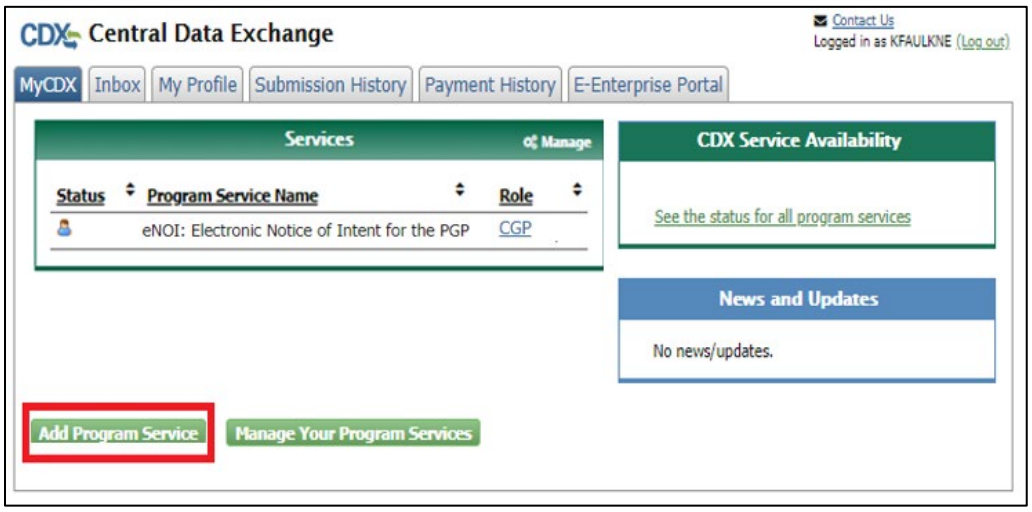
(ii) If you've forgotten your username or password, click either the **Forgot username?** or **Forgot password?**

links and follow the instructions provided.

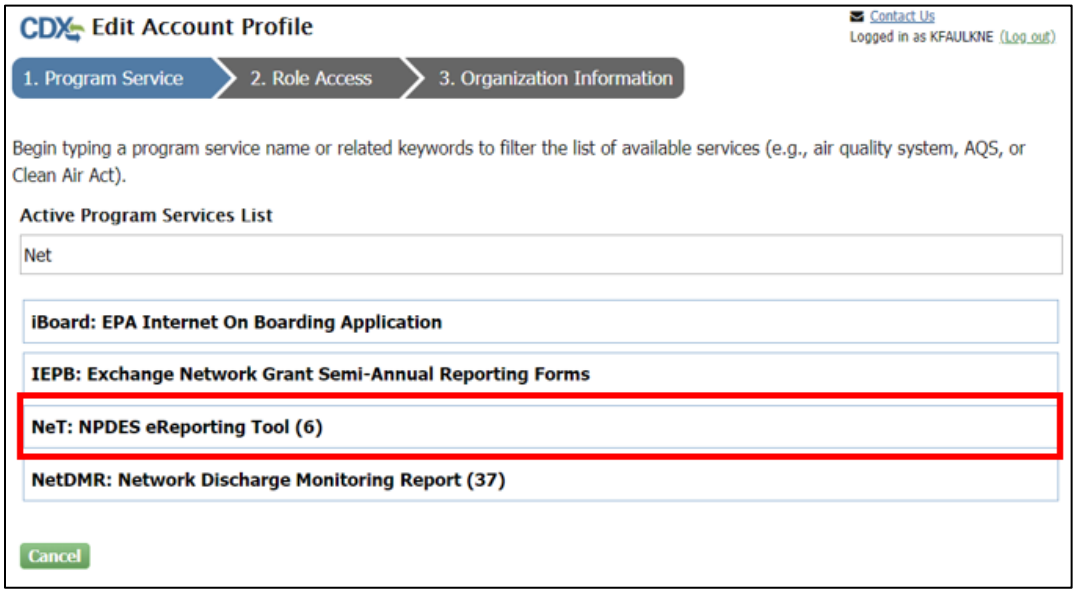
(iii) Once logged in, you will be brought to your MyCDX Home Page.

4.2.2 Adding the NeT CGP Program Service

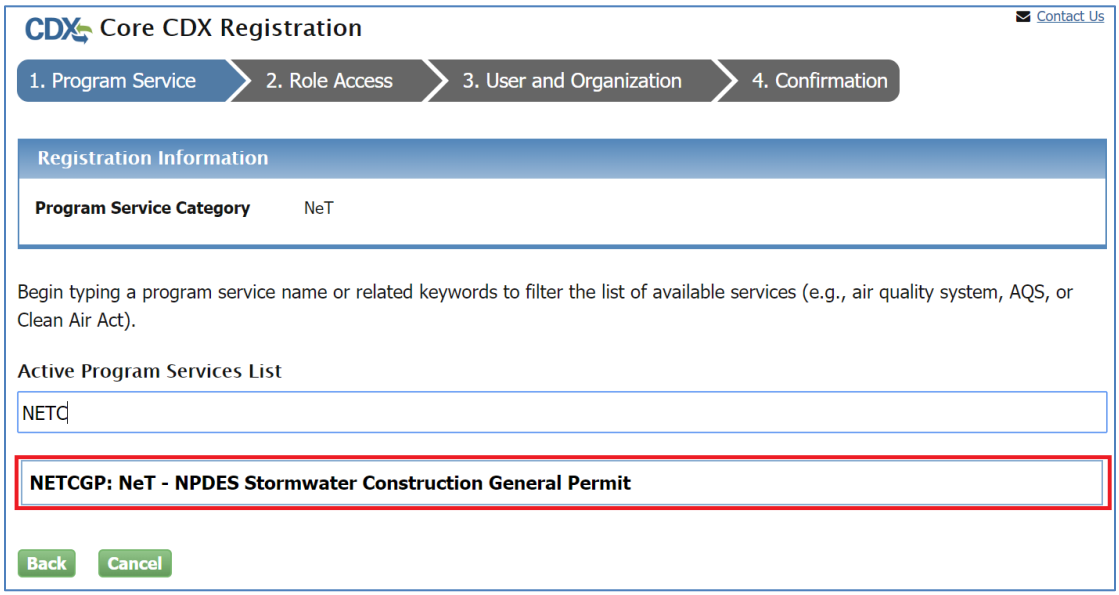
(i) From the MyCDX Home Page, click the **Add Program Service** button.



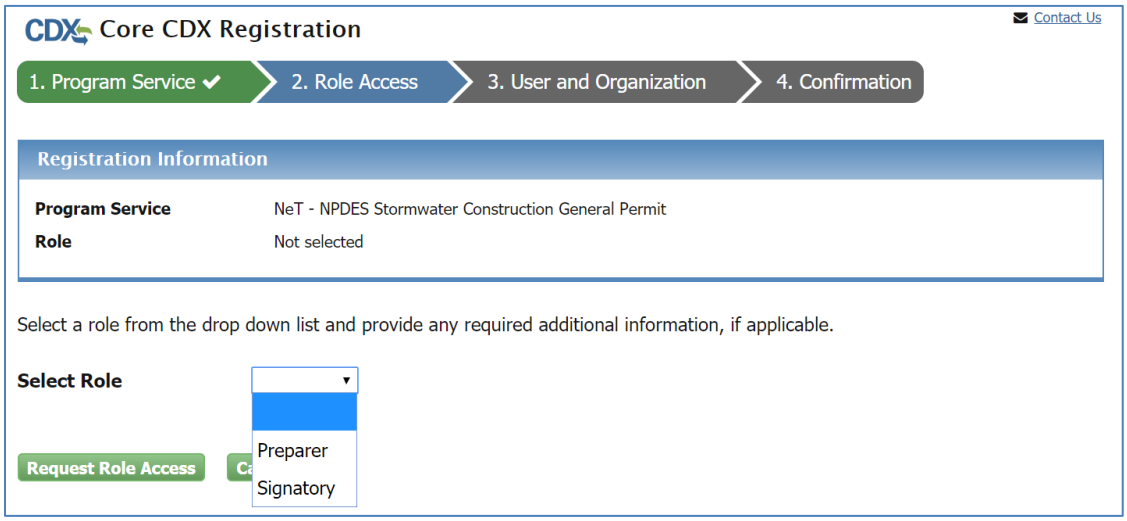
(ii) Find and select the **NeT: NPDES eReporting Tool** Program Service Category. Use the Search box to filter the list.



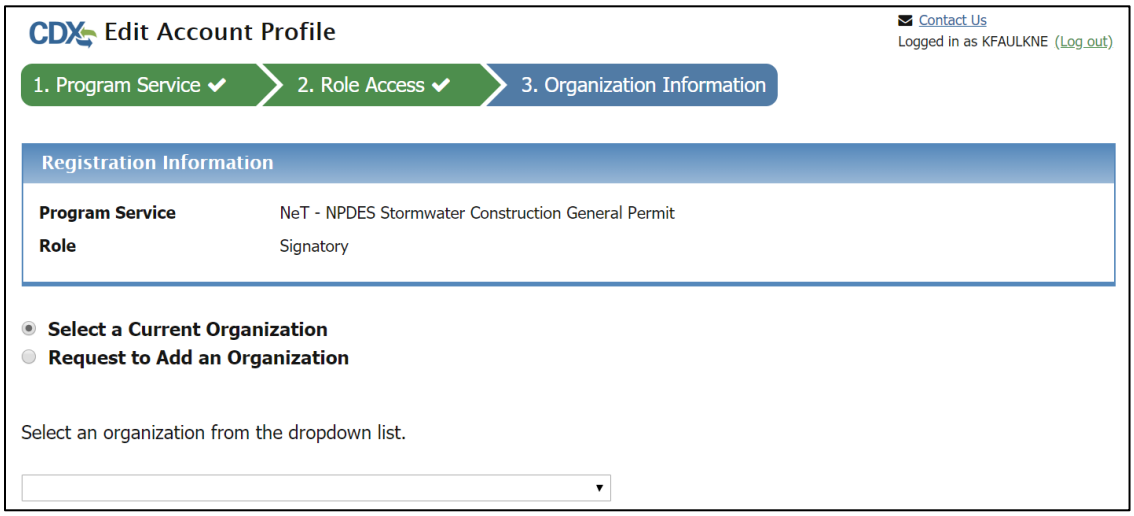
(iii) Find and select the **NETCGP: NeT - NPDES Stormwater Construction General Permit** Program Service. Use the Search box to filter the list.



(iv) Select your Role and click the **Request Role Access** button.



(v) Select your Organization from the dropdown box. If your organization is not in the dropdown list, you can select Request to Add an Organization. Click **Submit Request for Access.**



(vi) For users who selected the **Preparer** role, the NETCGP program service has been added to your account. You will be returned to the MyCDX Home Page.

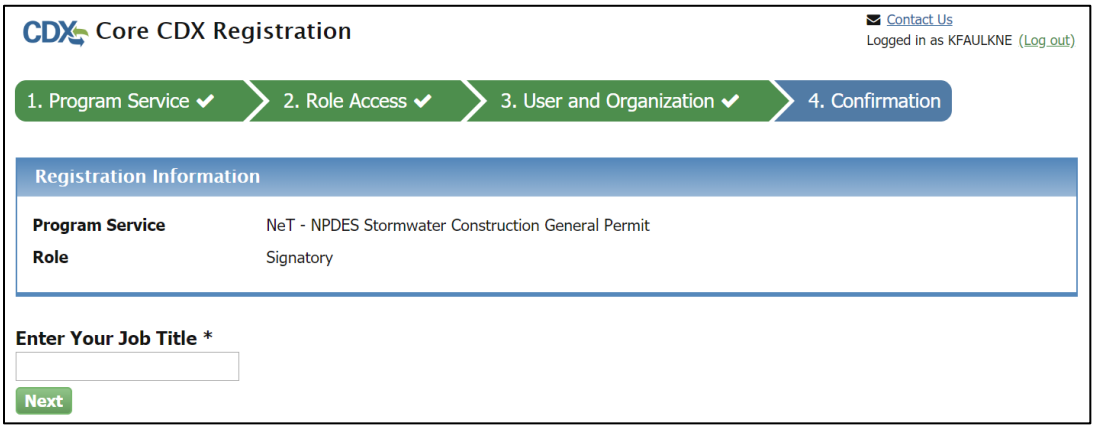
(vii) If you are a **Signatory** and have not previously signed an Electronic Signature Agreement (ESA) with CDX, you will be prompted to verify your identity and sign an ESA.

Signatories only

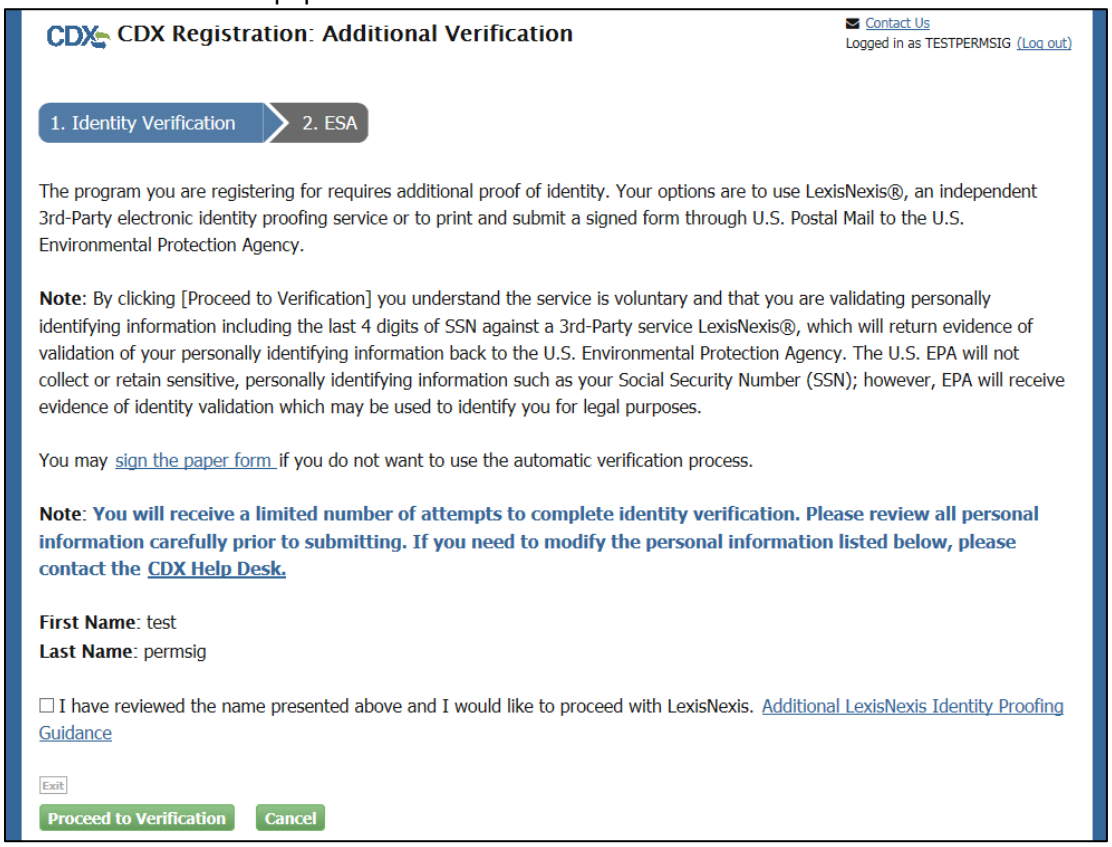
The following steps are for the Signatory role only. Preparers can skip to Section 5 in this guide.

As the Signatory, you must complete the following additional security steps for identity verification. After entering your Job Title, you will be taken to the CDX Registration: Additional Verification screen. Here you will have the choice to complete the identity verification by either LexisNexis®, an independent 3rd-Party electronic identity proofing service, or by printing and submitting a signed form through U.S. Postal Mail to the U.S. Environmental Protection Agency.

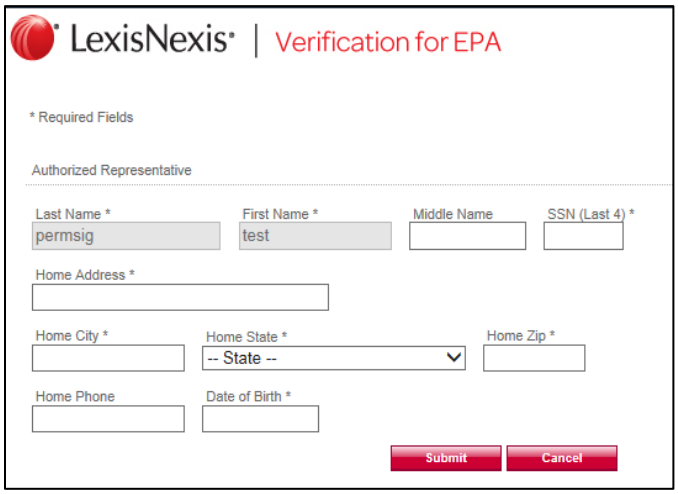
(viii) Enter your Job Title and click **Next.**



(ix) To proceed with LexisNexis online identity verification, check the box to indicate you would like to proceed electronically and click **Proceed to Verification**. If you choose not to electronically verify, click "sign the paper form" in the middle of the screen. If you choose the paper route, you will be presented with a paper Electronic Signature Agreement (ESA) to print, sign, and mail to the address provided on the ESA. If you choose to verify by paper, please expect the process to take several days. See step (xv) below for more information about the paper submission.

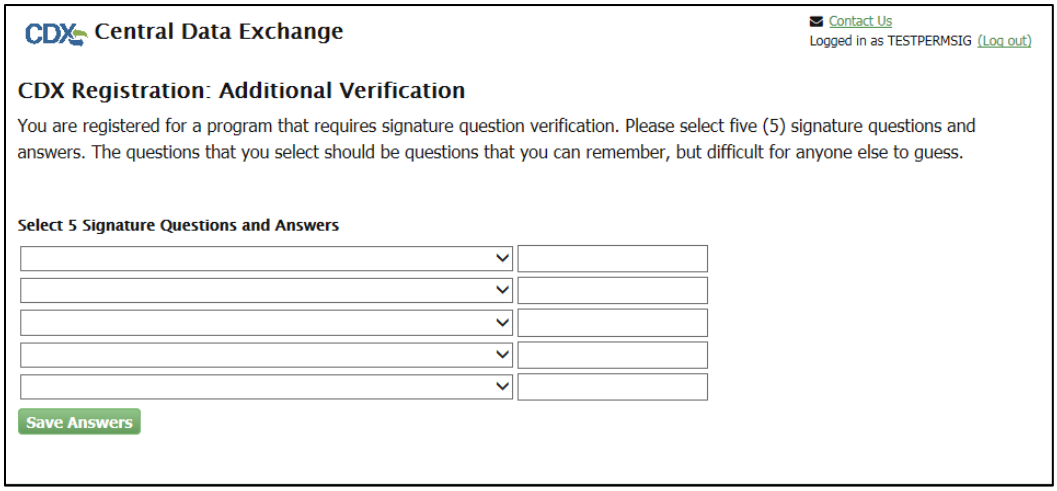


(x) Fill out the required information and click **Submit**. NOTE - You must enter your personal information in the requested fields; not your company information. Entering company or work site information will result in failing online identity verification.



NOTE – The information entered on the LexisNexis screen is NOT saved or recorded.

(xi) If identity verification is successful, you must select five (5) signature questions and answers. Signature question answers are case sensitive. When signing a document in CDX, you will be asked to provide the answer to one of these questions. Click **Save Answers** when completed. NOTE - If you fail LexisNexis or opt to print and mail a paper ESA, you will be prompted to select these signature questions upon accessing your NeT CGP account for the first time.

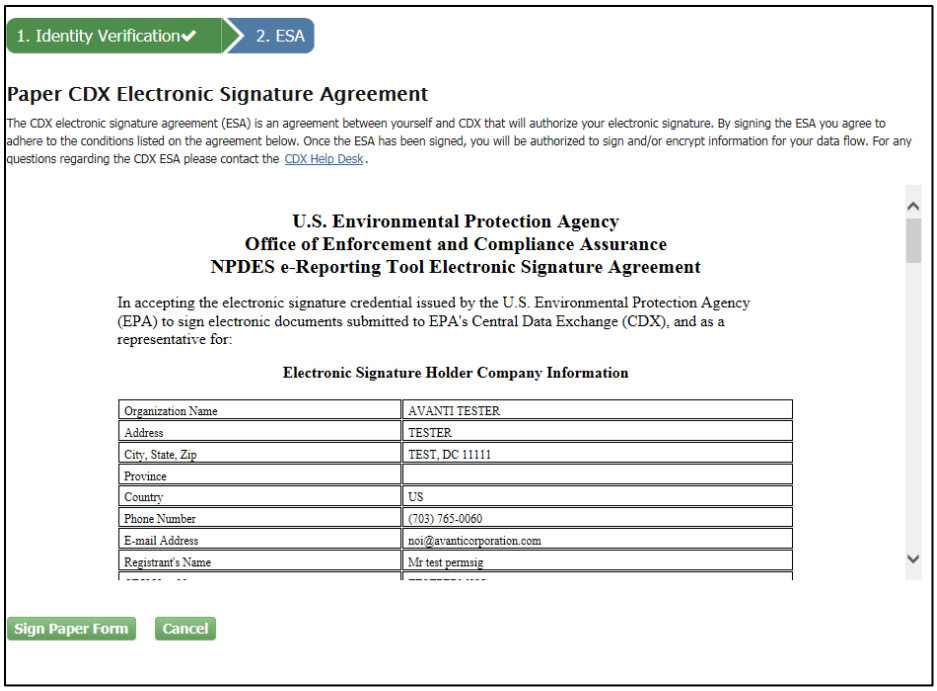


(xii) You will be redirected to the Electronic Signature Agreement page. Review the agreement and conditions. Click **Sign Electronically** if you agree to the conditions listed. Click **Accept** to the certification statement.

(xiii) Enter your CDX password and click **Login**. You will be prompted to provide an answer to one of the five signature questions you created and click **Answer**.

(xiv) Sign file by clicking **Sign**. You should receive the message "Program Service successfully added."

(xv) If you are unable to complete the LexisNexis identity verification, you must print and submit a signed paper Electronic Signature Agreement (ESA). Click on "**Sign Paper Form**" and print the paper ESA. Sign and mail the document to the appropriate address, which can be found at the bottom of the ESA. The ESA must be approved by the Regulatory Authority (RA) before your Signatory role will become active.



(xvi) You will receive an email when the ESA is approved.

(xvii) If you need assistance registering, contact EPA's NPDES Help Desk at (877) 227-8965 or at NPDESeReporting@epa.gov. You may also contact the CDX helpdesk at (888) 890 – 1995 or via email at helpdesk@epacdx.net.

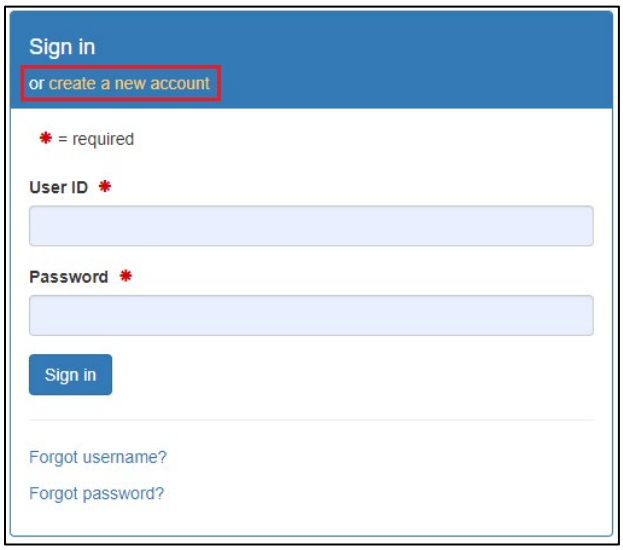
4.3 For Users without an Existing CDX Account

Users who are brand new to CDX must create a new account. To simplify CDX account creation for new users, creating a new account can be done directly from the NeT CGP login page.

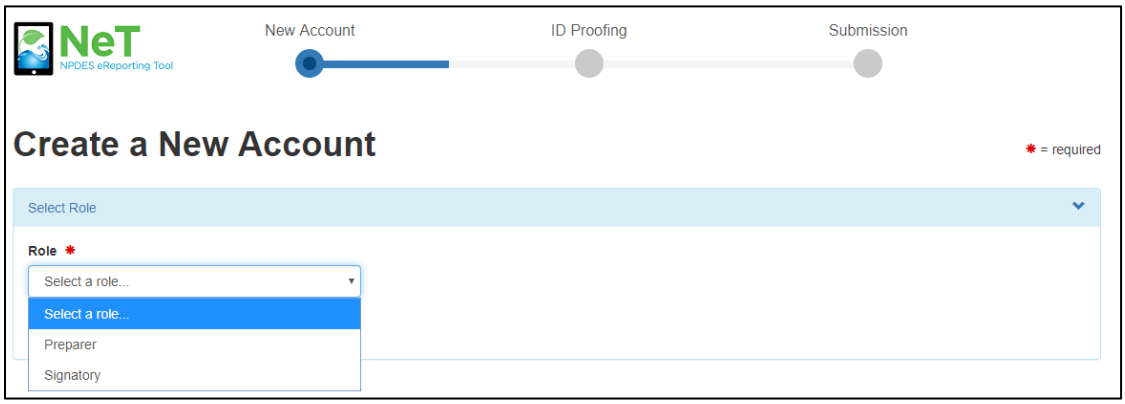
4.3.1 NeT CGP Registration

(i) Visit https://npdes-ereporting.epa.gov/net-cgp.

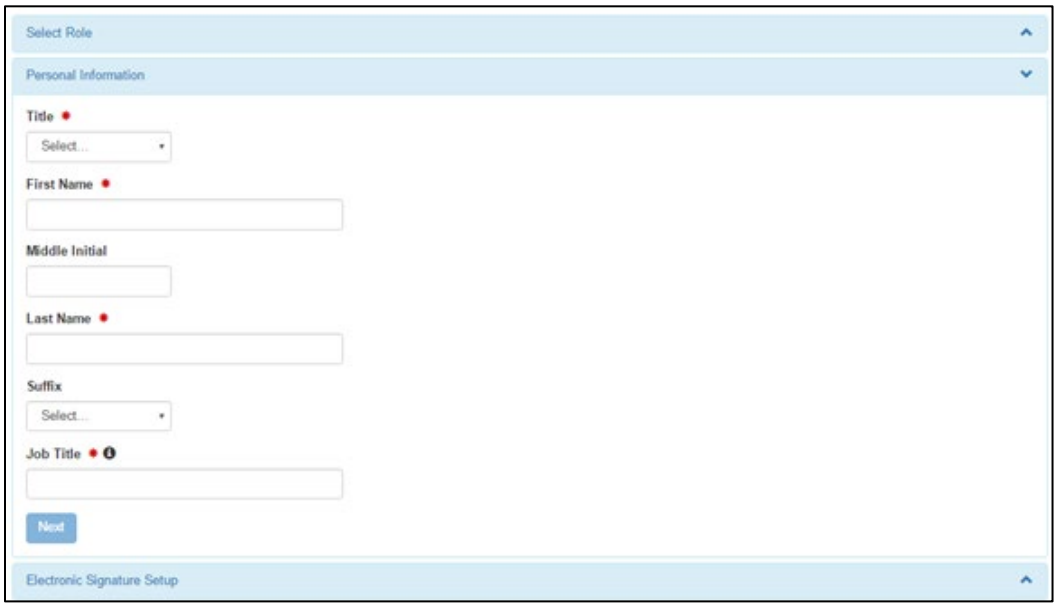
(ii) Click **Create a New Account.**



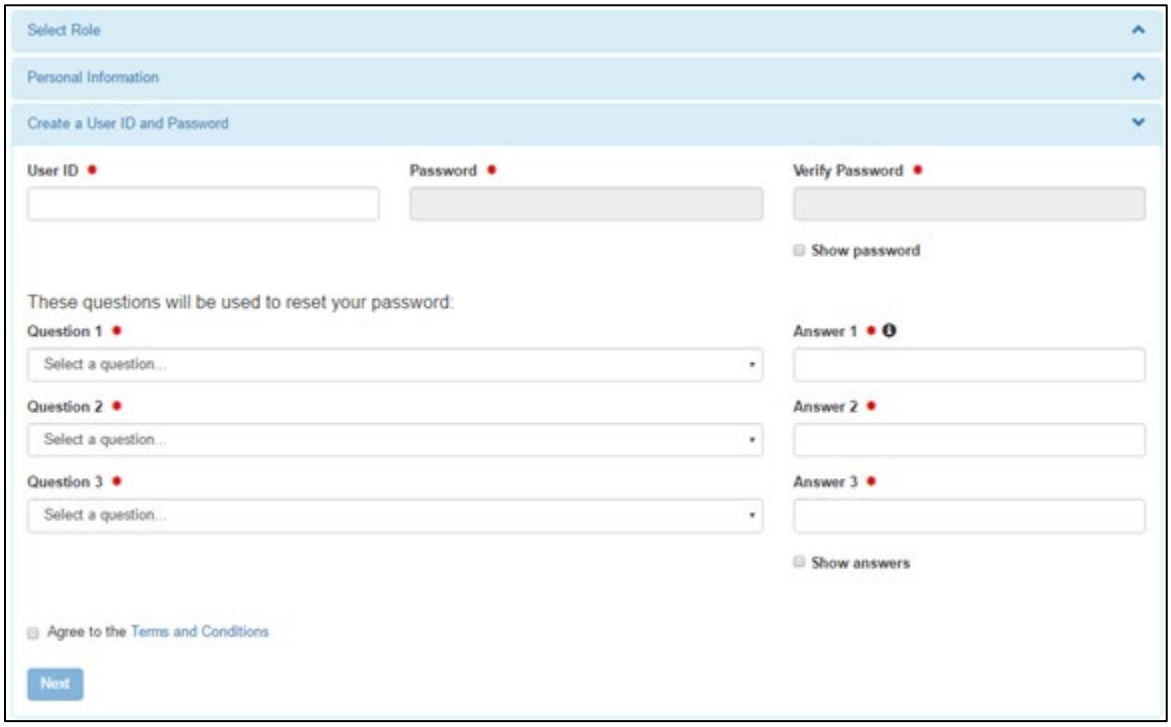
(iii) Select your Role and click **Next.** NOTE – Identity verification is required for Signatories and is achieved by an Electronic Signature Agreement (ESA).



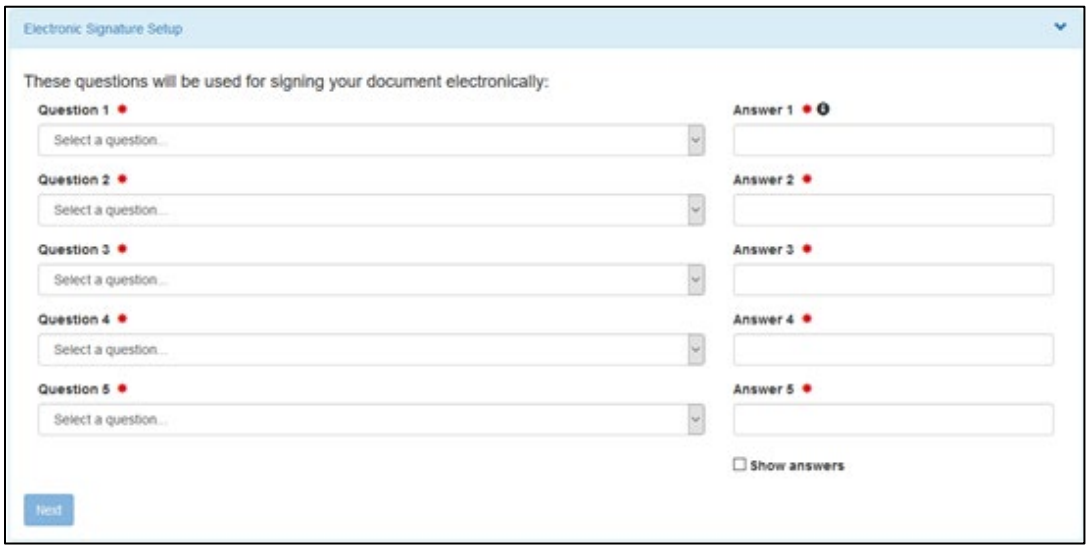
(iv) Enter your Personal Information and click **Next.** NOTE – Preparers will not be asked to enter a Job Title. For Signatories, the name entered here is the name used to verify your identity later in the process.



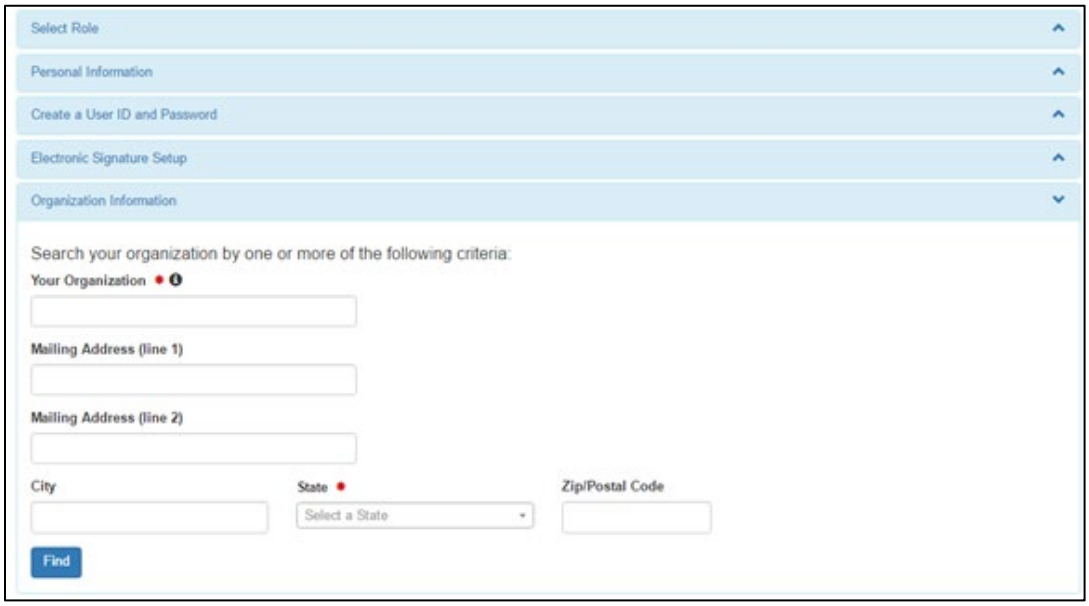
(v) Create your User ID, enter your password, and answer three (3) security questions. Security question answers are case sensitive. If you forget your password, you will be prompted to answer one of these. Finally, check the box to Agree to the Terms and Conditions and click **Next.**



<u>Signatories Only</u>: You will see an Electronic Signature Setup section and will be asked to select and answer five (5) signature questions. Signature question answers are case sensitive. Later, one of these signature questions will be randomly selected for you to answer in order to certify and sign the CGP forms. NOTE – To see what you are typing for answers, mark the "Show answers" checkbox.



(vi) Search for and select your Organization (the company for which you are employed). Enter your Organization's Name and State. Click **Find**. If you do not find your Organization, there will be an option to add your Organization.



Organization Information

Select your organization:

Show 10 entries

Action	Organization ID	Organization Name	Address 1	Address 2	City	State	Zip Code
Select	15093	USEPA REGION 5	77 WEST JACKSON BOULEVARD	Mail Code: SM-5J	CHICAGO	IL	60604-3507
Select	15102	US EPA	109 ALEXANDER DR. N275-01		RTP	NC	27709
Select	15105	EPA/REGION 3	1650 ARCH STREET		PHILADELPHIA	PA	19103
Select	15114	U.S. EPA OSWER-OSRTI-ERT	1600 S. EADS STREET 227N		ARLINGTON	VA	22202
Select	15120	EPA/OEI	1200 PENNSYLVANIA AVE., NW		WASHINGTON	DC	20460

Organization Information

US ENVIRONMENTAL PROTECTION AGENCY
1200 PENNSYLVANIA AVENUE NW
6207J
WASHINGTON, DC 20460
US

Wrong organization information? Back to search results or request that we add your organization.

Next

NOTE – If you request that we add your Organization, enter the required fields. The email entered here will be the email address associated with your CDX account.

Contact Information

Your Organization *

Mailing Address (line 1) *

Mailing Address (line 2)

City * State * Zip/Postal Code *

Select a State

Phone Number * Extension

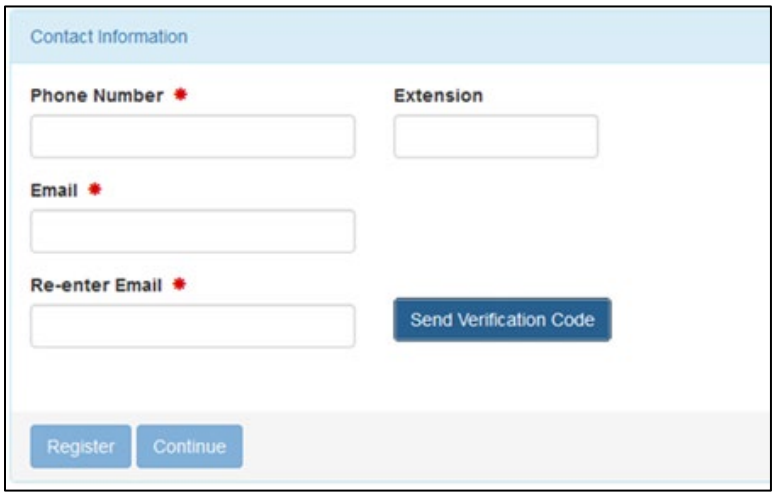
Email *

Re-enter Email *

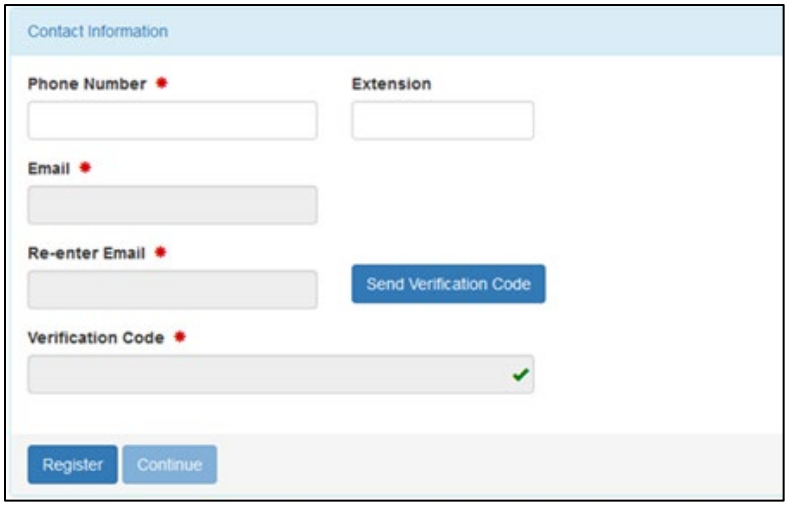
Send Verification Code

Register Continue

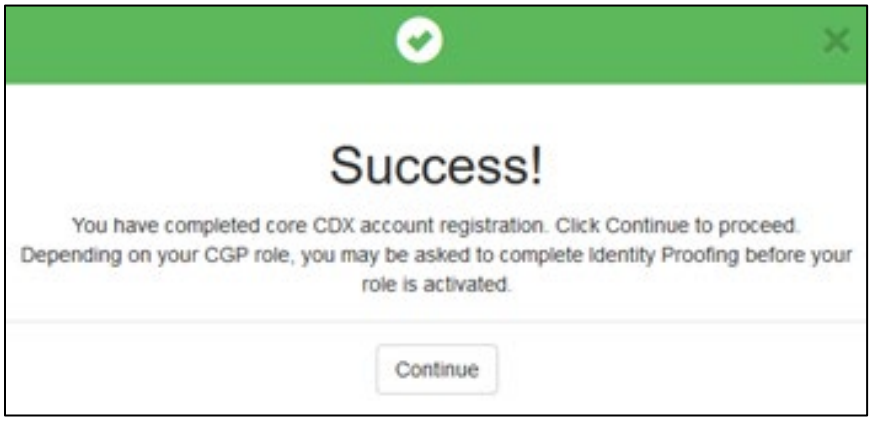
(vii) After adding your Organization Information, enter your Contact Information. After you re-enter your email, click **Send Verification Code**. You will receive an email with a verification code.



(viii) Copy and Paste the verification code from your email into the Verification Code field and click **Register.**



(ix) You have successfully created your CDX account. At this point, Preparers are finished with registration. Signatories must verify their identity and sign an Electronic Signature Agreement (ESA). Click **Continue.**



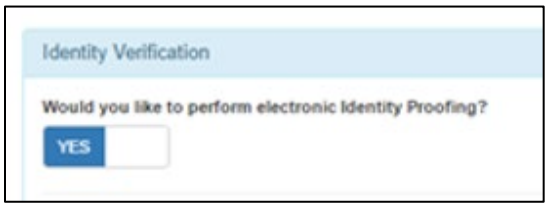
(x) After clicking **Continue**, Preparers will be taken to their MyCDX Home Page and can proceed to Section 5 of this guide. Signatories will need to proceed to the steps below to complete identity verification.

Signatories only

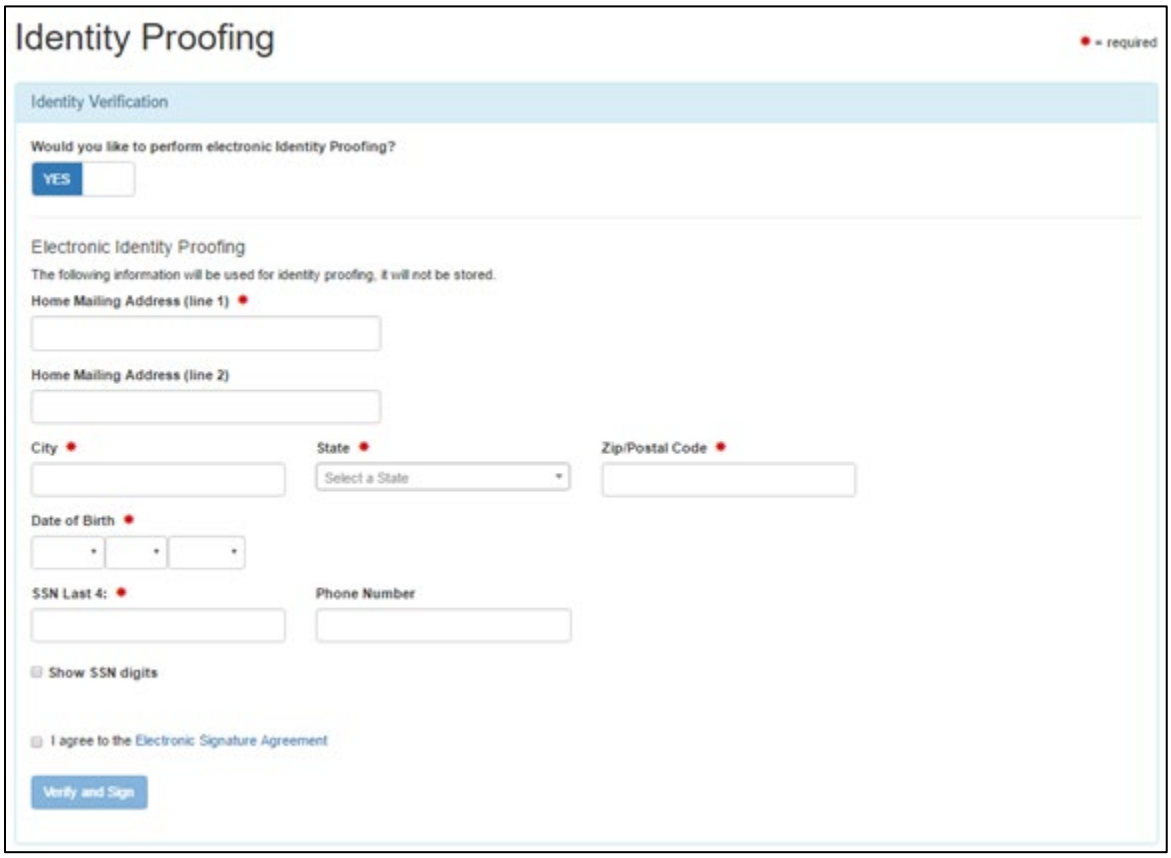
The following steps are for the Signatory only. Skip to Section 5 if you are a Preparer.

As the Signatory, you must complete the following additional security steps for identity verification. Next, you will be taken to the Identity Proofing step of the registration process. Here you will have the choice to perform electronic identity proofing by either LexisNexis®, an independent 3rd-Party electronic identity proofing service, or by printing and submitting a signed paper form through U.S. Postal Mail to the U.S. Environmental Protection Agency.

(xi) Select if you want to perform electronic identity proofing or if you want to sign and mail a paper Signature Agreement. If you choose paper, you will be shown a paper copy of the Signature Agreement that you can print. Print, sign, and mail it to the address shown on the document.



(xii) If you choose to perform electronic identity proofing, enter your personal information for the required fields. Be sure to place a check in the box to agree to electronically sign. Click **Verify and Sign.**



NOTE – The information entered on the Identity Proofing page is NOT saved or recorded.

(xiii) If you are unable to complete the LexisNexis identity verification electronically, you must print, sign, and mail a paper Electronic Signature Agreement (ESA).

(xiv) Registration is complete and you will be brought to the MyCDX Home Page. Paper Signature Agreeement submissions must wait for the CGP Regulatory Authority to approve the ESA.

(xv) You will receive an email when the ESA is approved.

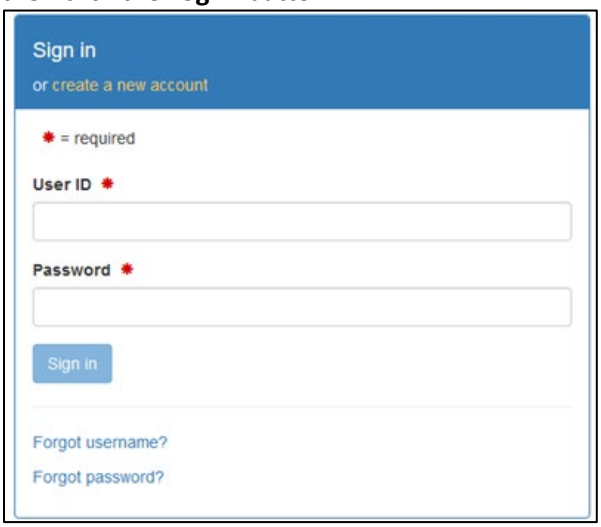
(xvi) If you need assistance registering, contact EPA's NPDES Help Desk at (877) 227-8965 or at NPDESeReporting@epa.gov. You may also contact the CDX helpdesk at (888) 890 – 1995 or via email at helpdesk@epacdx.net.

5. The NPDES eReporting Tool (NeT) CGP Landing Page

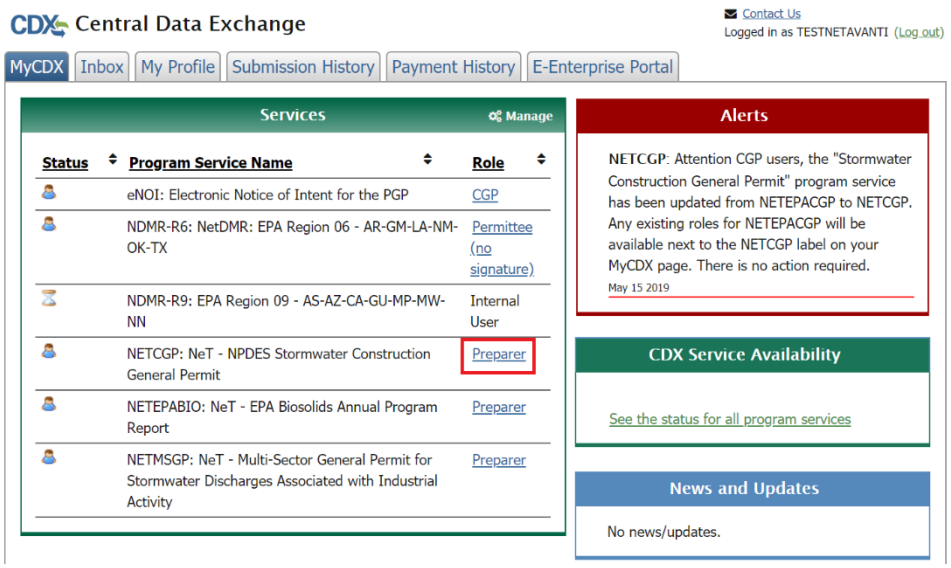
Once registered with CDX (see Section 4 above to learn how to register for a CDX account) and added the NeT CGP program service, you can proceed to the NPDES eReporting Tool (NeT) for the CGP. NeT CGP allows you to enter and submit NOIs, LEWs, and NOTs.

5.1 Access the NeT CGP Tool

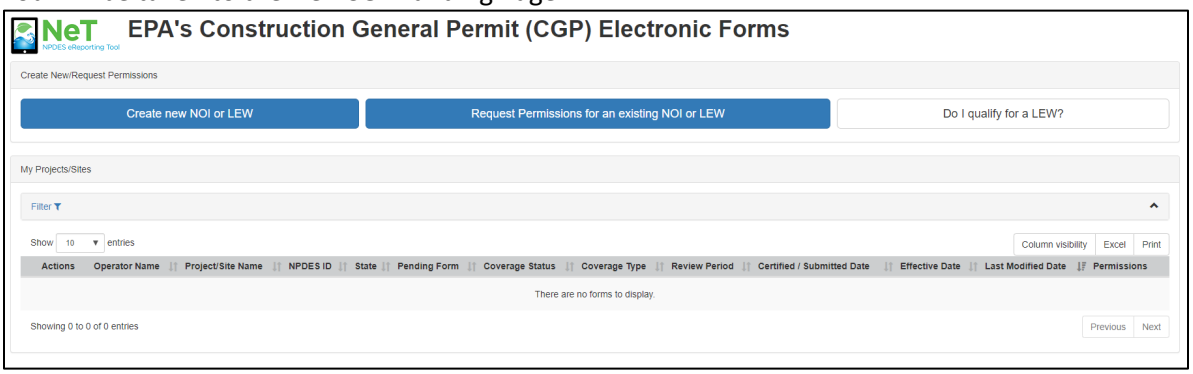
5.1.1 Visit https://npdes-ereporting.epa.gov/net-cgp. Enter your **User ID** and **password** and click the **Log In** button. Alternatively, you can go to https://cdx.epa.gov and enter your **User ID** and **password** there and then click the **Log in** button.



5.1.2 Click on your Role next to the NETCGP: NeT – NPDES Stormwater Construction General Permit Program Service.



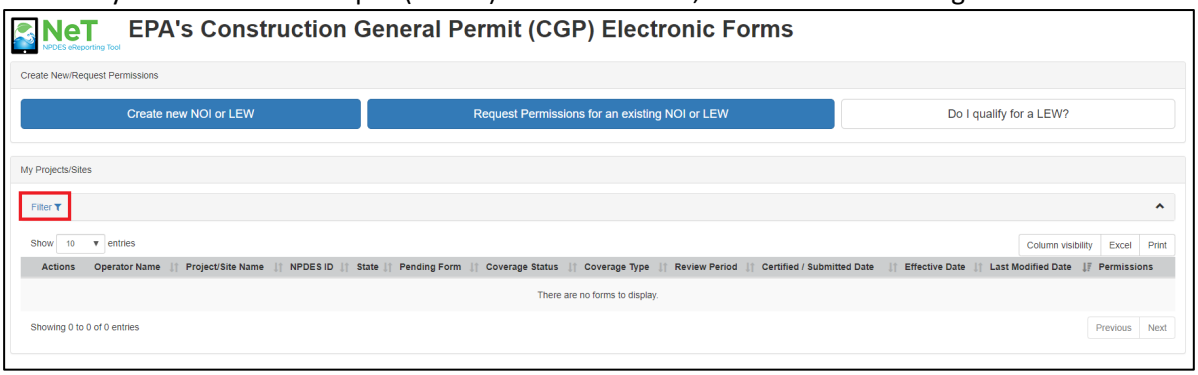
5.1.3 You will be taken to the NeT CGP Landing Page.



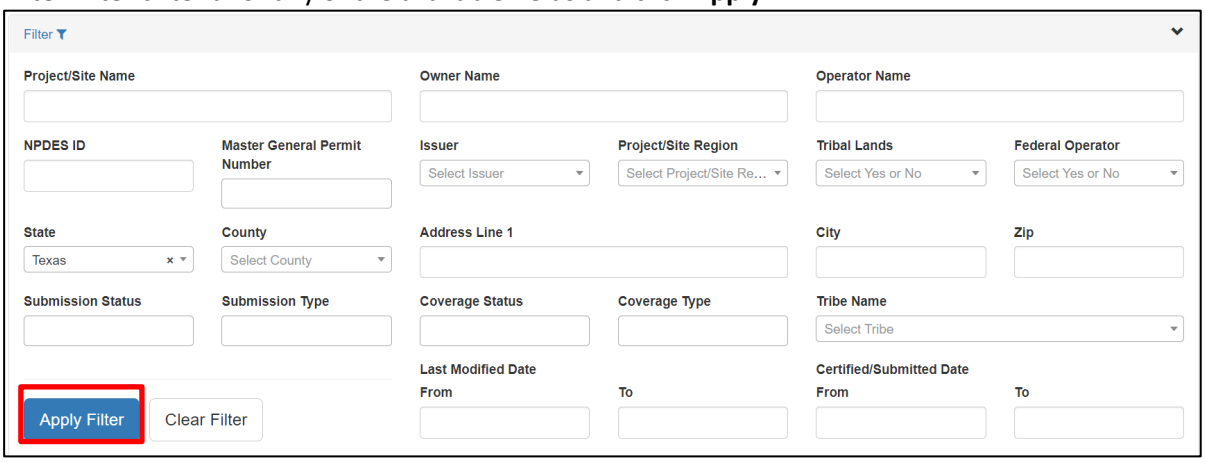
5.2 Viewing Library of CGP Forms

On the NeT CGP Landing Page, your form library contains any draft and previously submitted NOI and LEW forms for which you are the Preparer or Signatory. To view all publicly accessible NOIs and LEWS, please refer to Section 9 of this guide that discussed the E-Enterprise Portal.

5.2.1 To filter the list of existing NOIs and LEWs, click on **Filter**. The screen will expand displaying several fields to refine your search. To collapse (or exit) the filter screen, click on **Filter** once again.

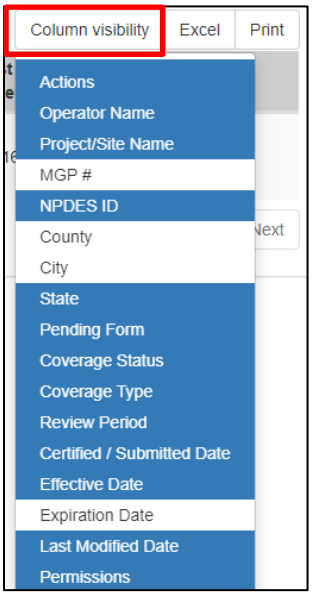


5.2.2 Enter Filter criteria for any of the available fields and click **Apply**.

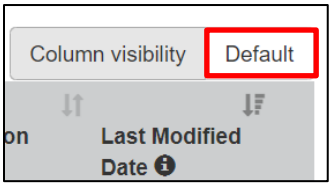


5.2.3 You may also sort the list of forms by clicking on any of the column headers. By default, the list is sorted by descending order on the Last Modified column. Click any of the column headers to re-sort the list first in descending order. Click the same column a second time to re-sort in ascending order.

5.2.4 To remove any columns from view, click on the **Column Visibility** button. Select the columns you wish to remove from view. NOTE – The columns highlighted in blue are those that will appear in the view.



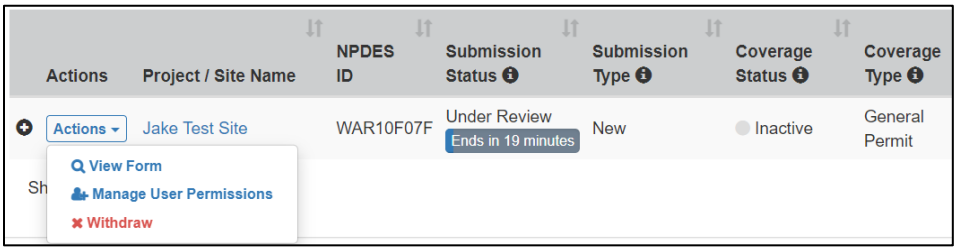
5.2.5 You may also set it to the default setting.



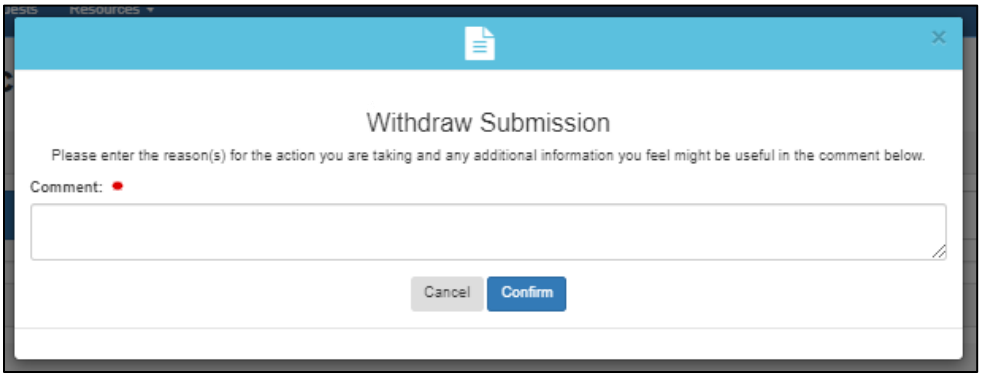
5.3 Withdrawing a NOI/LEW

After successfully certifying a NOI or LEW a situation may arise where you need to change the details for coverage before it has undergone the entirety of the review period, to do this you can withdraw the NOI/LEW. Once you have withdrawn the NOI or LEW you will be able to make changes to the form and re-certify which will restart the timer for the review period.

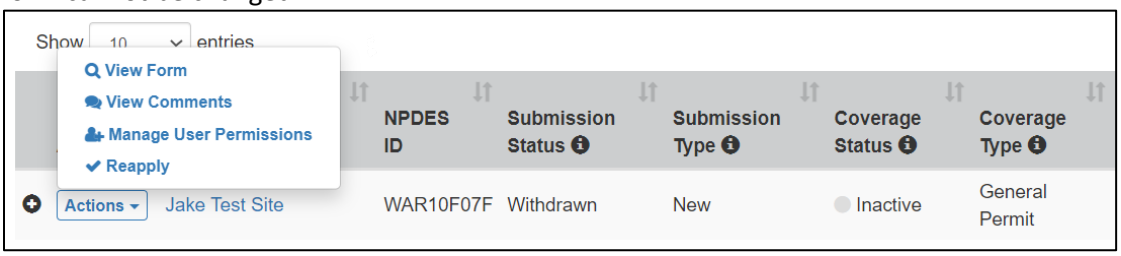
5.3.1 On the NeT CGP Landing Page click **Actions** the left of the form that needs to be withdrawn and select **Withdraw**.



5.3.2 A pop-up will appear to enter the reason the form is being withdrawn and any information that may be useful to note. Click **Confirm**.



5.3.3 Once you confirm, the "Pending Form" status will be "Withdrawn". To edit the form, click **Actions** and **Reapply.** You will be prompted to go to the form, click **Go to form** to make any changes. The "Pending Form" status will return to Draft. NOTE – Data contained within the "Permit Information" section of the form cannot be changed.



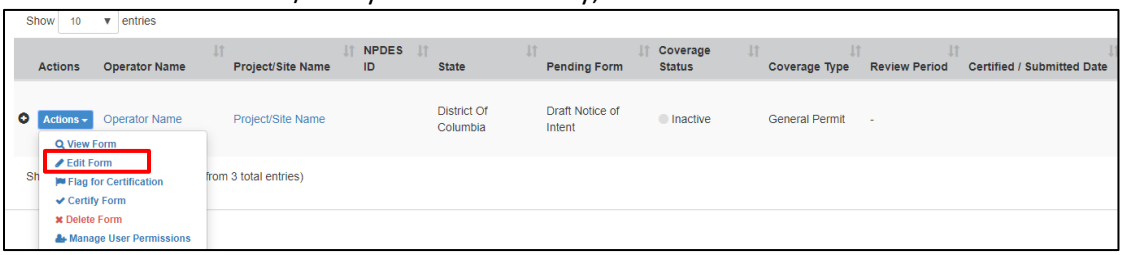
5.4 Changing a NOI/LEW

On the NeT CGP Landing Page the form library contains a list of draft and previously submitted NOIs and LEWs to which you have access. The situation may arise where you will need to modify or change an NOI or LEW. Please note that any changes made to a NOI/LEW in Active status must be resubmitted for those changes to take effect. Creating changes to your form allows you to update information on your NOI. If the facility or operator name needs to be changed, the NOI will result in a 14-day hold on certification.

5.4.1 For **Draft** NOIs/LEWs that have not been certified and submitted, you can edit the form to make any necessary modifications (except to the Facility and Operator names) before certification.

(i) On the NeT CGP Landing Page, view your form library. NOTE – You may need to Filter/Sort your list to find the form.

(ii) On the row with the NOI/LEW you wish to modify, click **Actions** and select **Edit Form.**



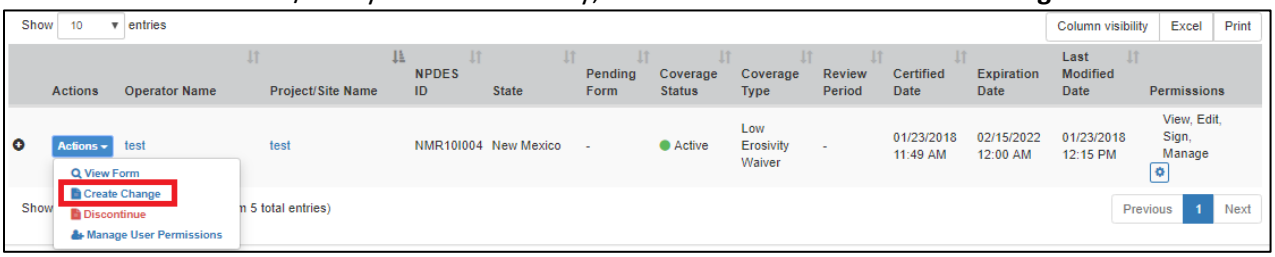
(iii) The NOI form will open in edit mode allowing you to edit any of the information (except the Permit Information section). When editing is complete, you will have the following options: Save and Close, Certify Form (Signatory only), Flag for Certification, and No Action at this time. NOTE – Clicking Save and Close will

save the draft and you will return to the NeT CGP Landing Page.

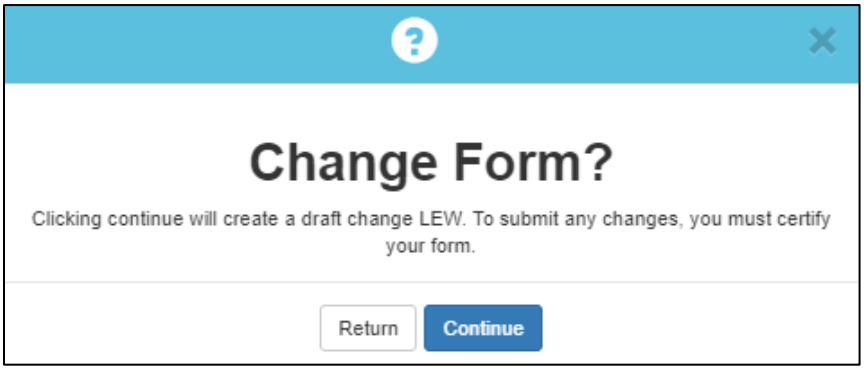
5.4.2 For **Active** NOIs/LEWs selecting Create Change will create and open a duplicate copy of the NOI or LEW form. It is this duplicate copy that you can edit, recertify, and resubmit.

(i) On the NeT CGP Landing Page, view your form library. NOTE – You may need to Filter/Sort your list to find the form.

(ii) On the row with the NOI/LEW you wish to modify, click **Actions** and select **Create Change.**

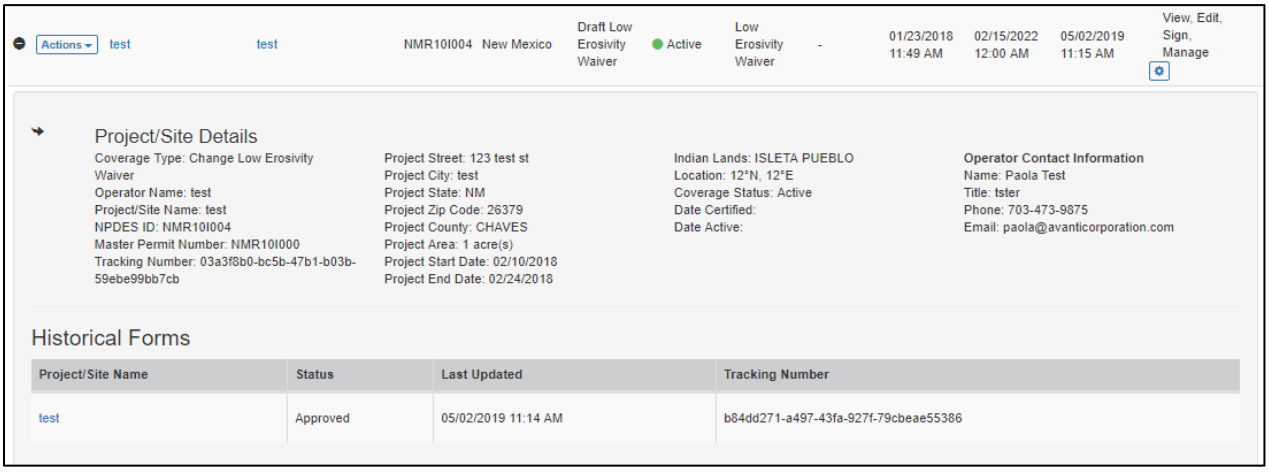


(iii) A pop-up will appear letting you know a draft change form is being created. Click **Continue.**



(iv) Some fields within the Change NOI/LEW cannot be edited, such as the Permit Information Section.

(v) To view the original NOI/LEW, you can return to the NeT CGP Landing Page and click the plus (+) sign at the left-side of the row to open the Project/Site Details section. The original form will be listed in the Historical Forms section. Click on the Project/Site name in this table to view the original NOI/LEW.



(vi) To revert the changes made before certification, go to **Actions** and select **Delete Form**. NOTE – The delete form option will only delete the draft change and will not affect the active form. See next section for instructions.

(vii) Once the changes are complete, the Change NOI/LEW must be certified and submitted by the Signatory.

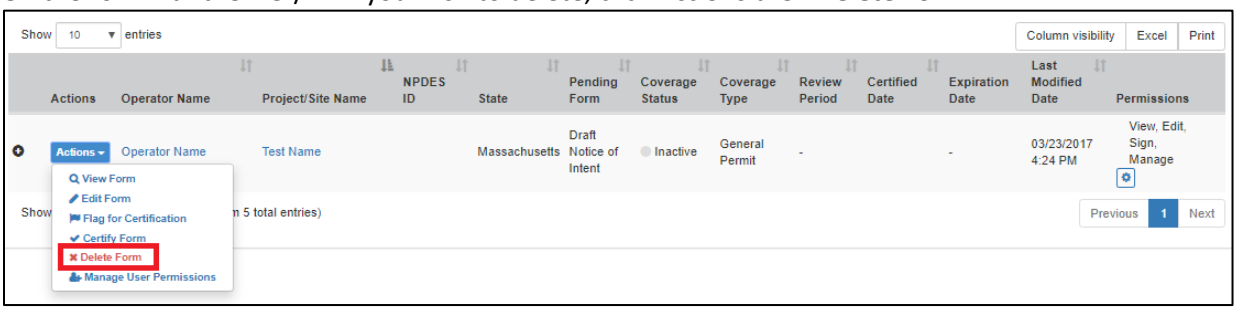
NOTE – If the facility or operator name needs to be changed, the NOI will re-initiate the 14-day review period for the changes to become authorized under the CGP.

5.5 Deleting a Draft NOI/LEW

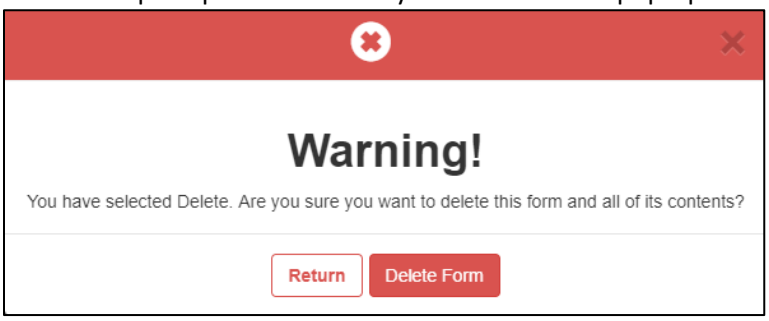
On the NeT CGP Landing Page the form library contains a list of draft and previously submitted NOIs and LEWs. The situation may arise where you will need to delete a new or Change NOI/LEW still in draft status (has not yet been certified and submitted). Please note if you wish to Terminate/Discontinue a NOI/LEW that has already been certified and submitted, you must follow the Terminate/Discontinue procedures in Section 8 of this User Guide.

5.5.1 From the NeT CGP Landing Page, view your form library. You may need to Filter/Sort your list to find the form you need.

5.5.2 On the row with the NOI/LEW you wish to delete, click **Actions** then **Delete Form.**



5.5.3 You will be prompted to confirm your action with a pop-up window. Click **Delete Form.**

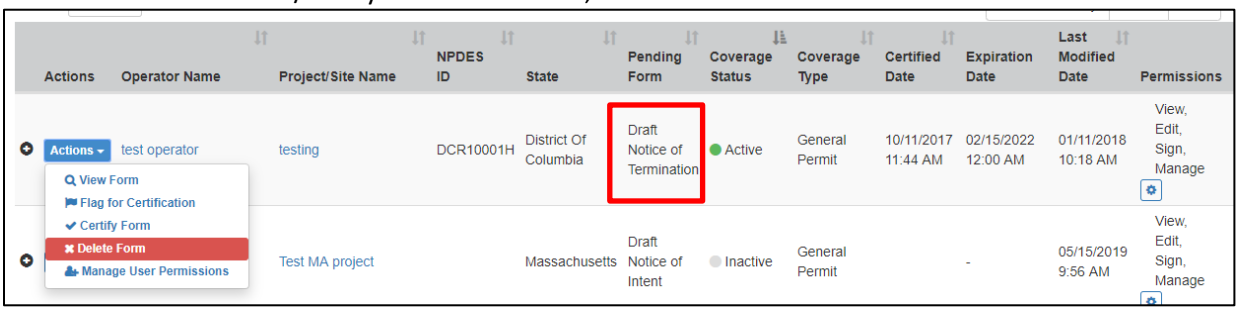


5.5.4 The draft form is now deleted and removed from your form library.

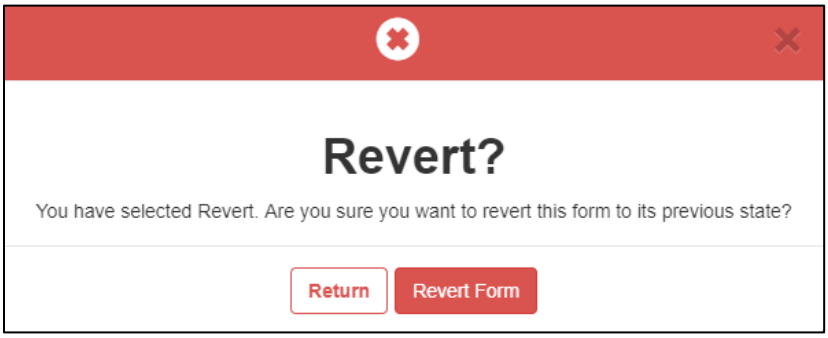
5.5.5 After creating a Change NOI/LEW or NOT, you may decide that you would like to discard the Change form or revert the NOT. These draft forms can also be deleted to revert the form back to its Active status.

(i) From the NeT CGP Landing Page, view your form library. You may need to Filter/Sort your list to find the form you need.

(ii) On the row with the NOI/LEW you wish to delete, click **Actions** then **Delete Form.**



(iii) Click Revert Form to discard the draft form.

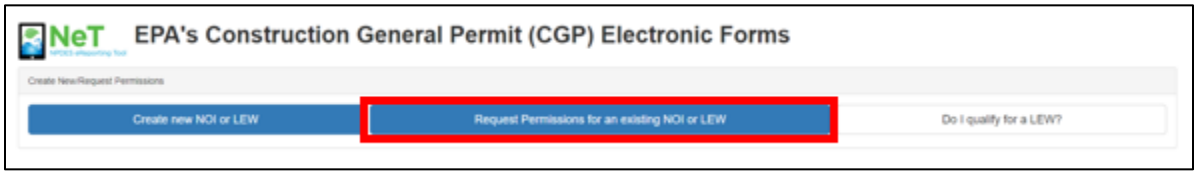


5.6 Requesting and Managing Permissions to an Existing NOI/LEW

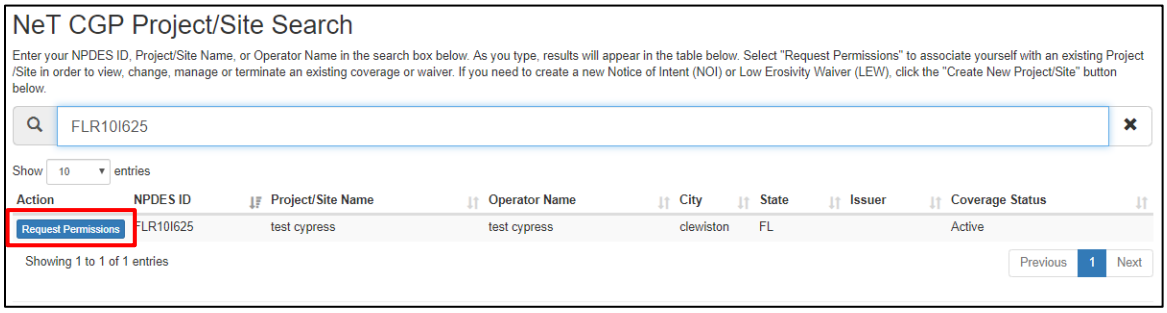
The NeT CGP Landing Page lists the NOIs and LEWs to which a user has access, or permission, to view, edit, sign, or manage. The "Permissions" column in the form library lists the form-specific permissions available to you.

5.6.1 Requesting Access to a NOI/LEW

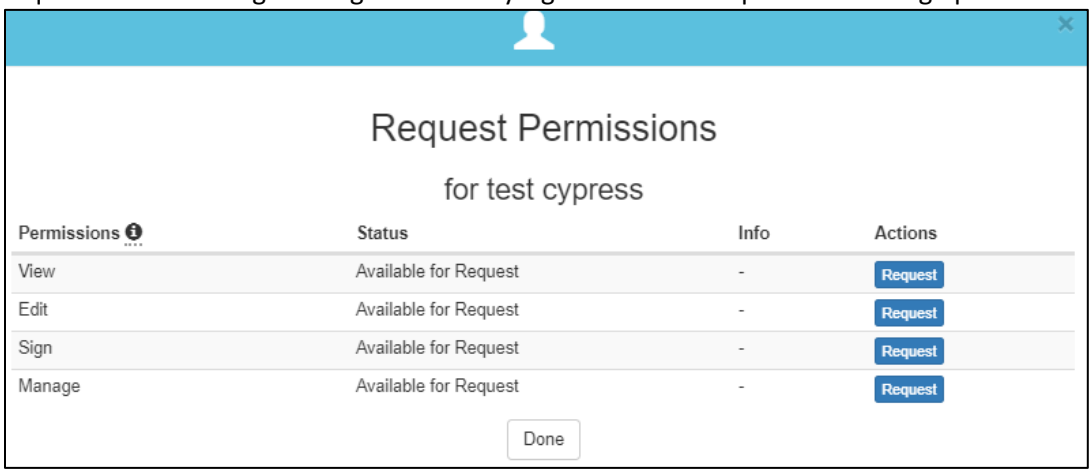
(i) If the NOI/LEW is not found on the NeT CGP landing page after using the search filter, then you do not have permission to the form and must request access. Click on the **Request Permissions for an existing NOI or LEW** button.



(ii) Enter your NPDES ID, Project/Site Name, or Operator Name in the search box. As you type, results will appear in the table below. If a form has been created for this project/site, select **Request Permissions** to request access to the existing NOI or LEW.



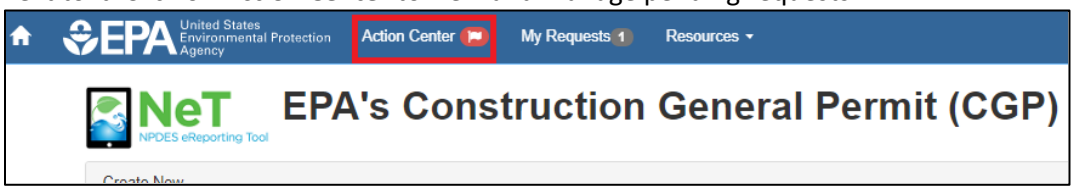
(iii) A pop-up window will appear. Click **Request** for each applicable permission available for request. Below are the definitions for each permission type:
View: Can see all submissions and information for a project/site but cannot enter data or take any other actions**.** The view permission is required with any other permission. Both preparers and signatories can request the view permission.
Edit: Can create and modify draft change submissions for a project/site. Both preparers and signatories can request the edit permission.
Sign: Can sign and certify submissions to EPA. Only signatories can request the sign permission.
Manage: Can manage user permissions for the project/site, including approving or denying permission requests and revoking existing access. Only signatories can request the manage permission.



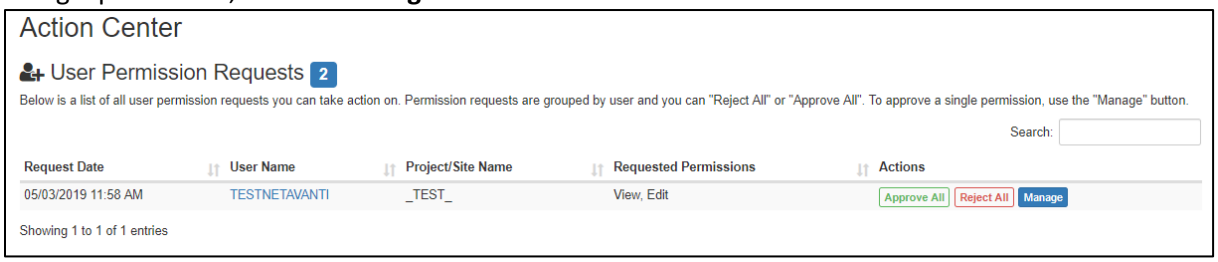
(iv) After requesting permissions, the status will change to "Request Pending." Click **Done**. You will be taken back to the NeT CGP Landing Page.
(v) A Signatory with "Manage" access will receive an email notification to approve the access request(s). NOTE – If a user with manage access does not exist, then action is required by the EPA Regulatory Authority (RA) to approve the request.
(vi) You will receive an email notification when access has been approved/denied.

5.6.2 Managing Access Requests – Signatory users ONLY

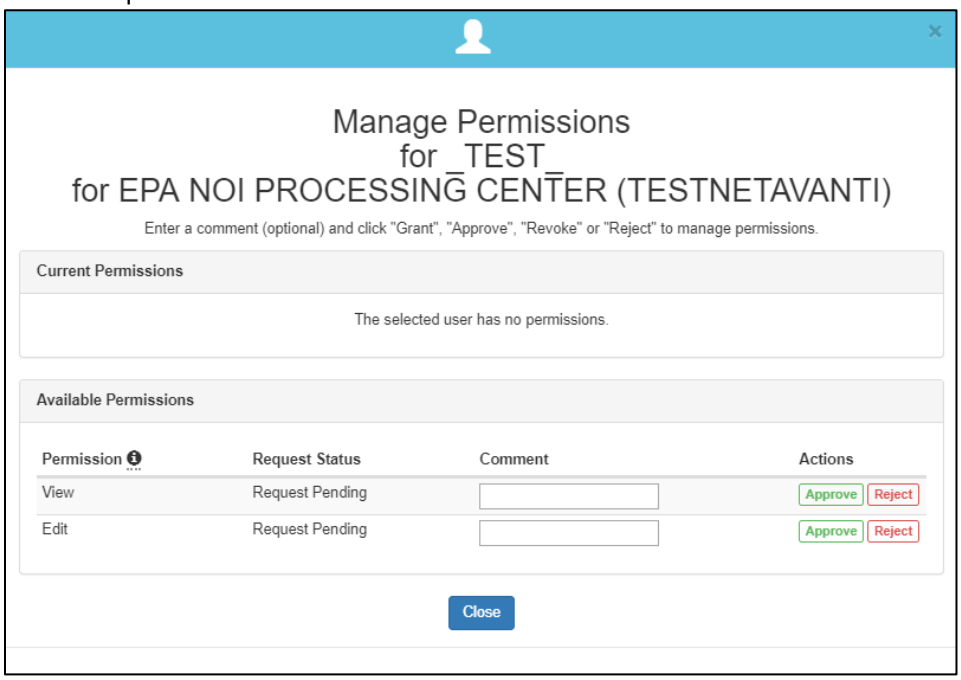
(i) In order to approve or deny a user's permission request for a NOI or LEW, you must be registered as a Signatory with NeT CGP and have the "Manage" permission. With this role and permission combination, you are considered the form manager.
(ii) When a permission request is received, you will receive an email notification and the pending request can be found in the Action Center. If you have pending requests to your NOI/LEWs the Action Center will have a flag next to it. Click on **Action Center** to view and manage pending requests.



(iii) In the Action Center, you can view the user who is requesting access, the date of the request, the permissions requested and the actions available to you. Permission requests are grouped by user. Click on the Username link to view user's details (e.g, organization). Click **Approve All** or **Reject All**. To approve/reject a single permission, use the **Manage** button.



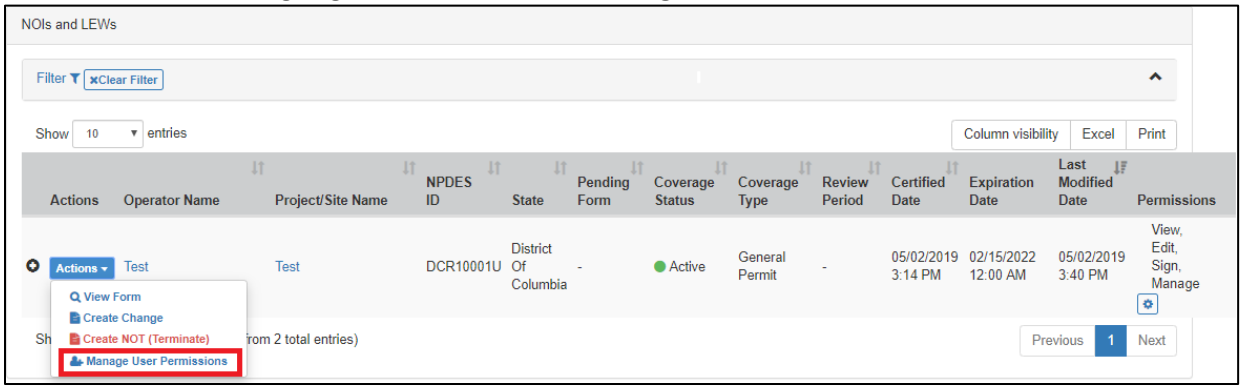
(iv) Upon selecting **Manage**, a pop-up will appear with the options to Approve or Reject specific permission requests. An optional comment box is available for you to explain your reasoning for rejecting or approving certain requests.



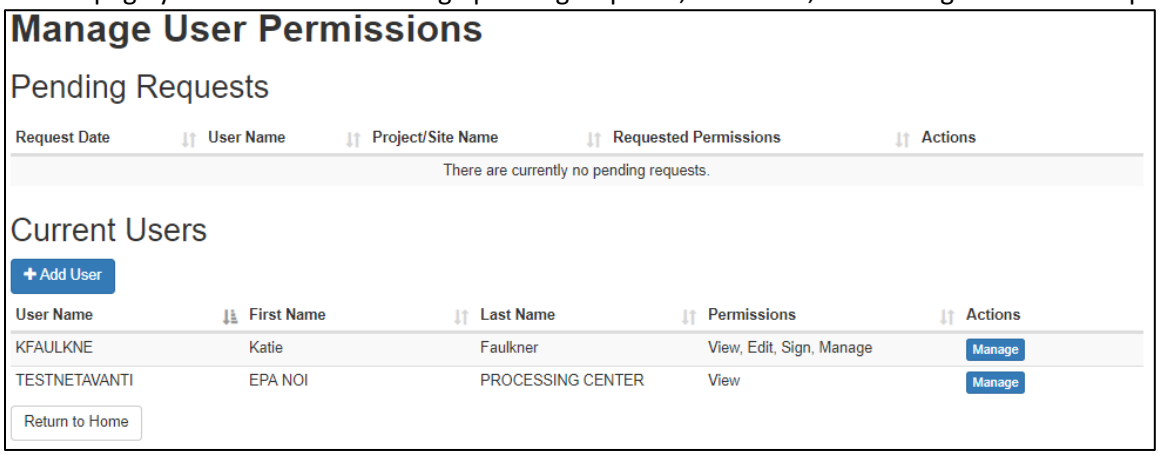
5.6.3 Managing Existing Permissions for a NOI/LEW – Signatory users ONLY

(i) As a Signatory with the "Manage" permission, you are considered the form manager. In addition to approving/rejecting new permission requests, you can also revoke current users' permissions and add new users.

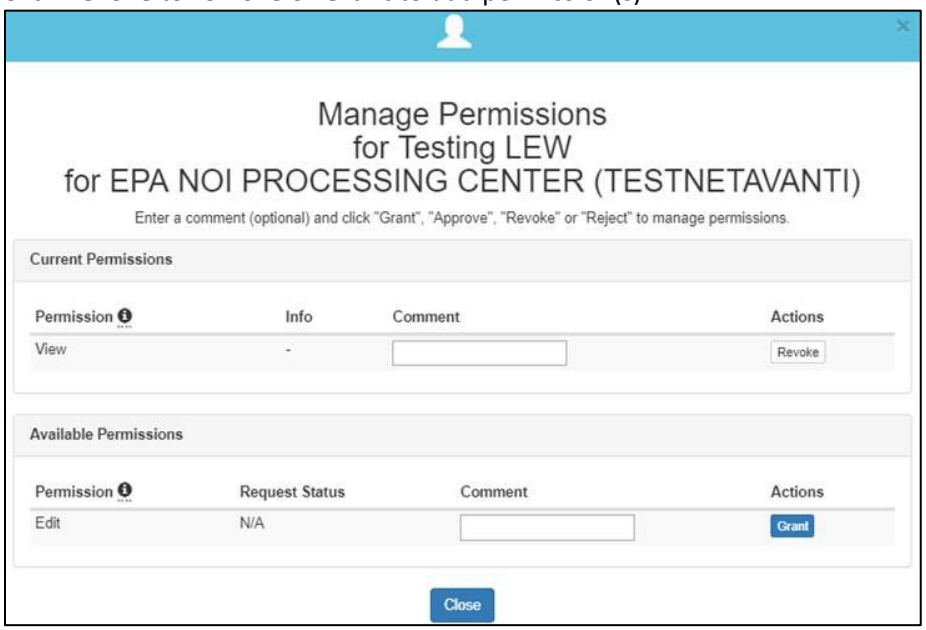
(ii) On the NeT CGP Landing Page, click **Actions** then **Manage User Permissions**.



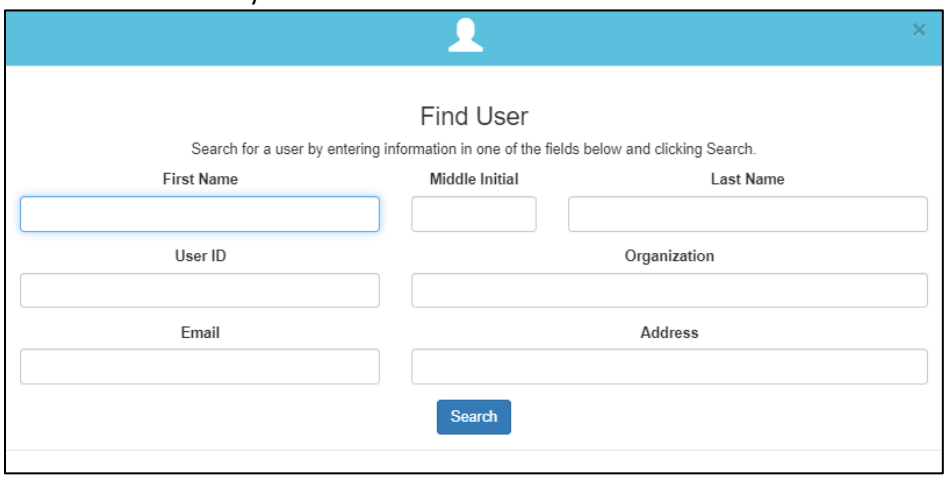
(iii) On this page you can view and manage pending requests, add users, and manage current user permissions.



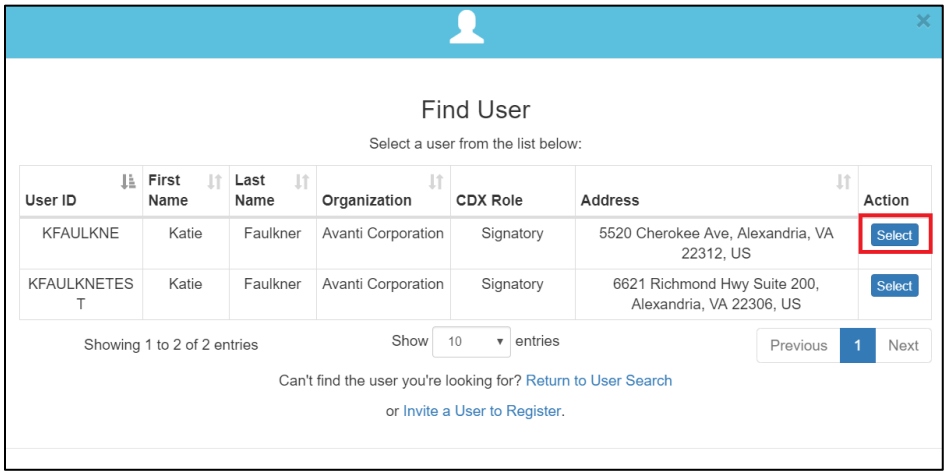
a. To manage a current user's access to the form, click the **Manage** button under the "Actions" column. Click **Revoke** to remove or **Grant** to add permission(s).



b. To associate a new user with the existing form, click **Add User.** A pop-up will appear where you can search for the user by one or more of the search fields and click **Search**.



c. Click **Select** to choose the user then **Grant** the appropriate permissions. NOTE – The user must have a NeT CGP role (Preparer or Signatory) already added to their CDX account to appear in the search results.



6. Apply for CGP Coverage with a Notice of Intent (NOI)

To apply for coverage under the 2022 Construction General Permit (CGP), you will submit a Notice of Intent (NOI).

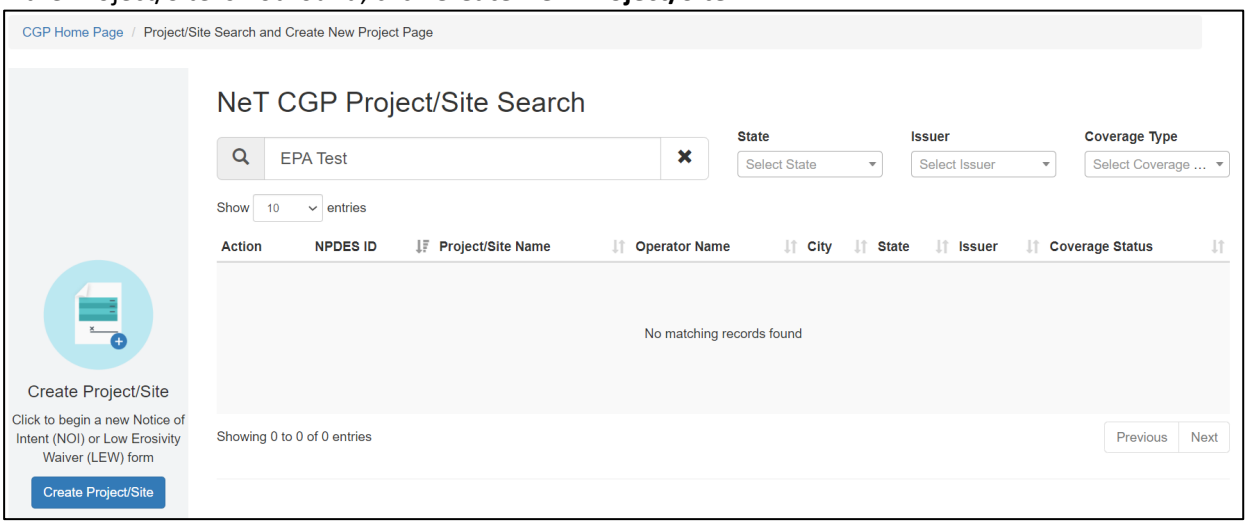
6.1 Access the NOI Form

6.1.1 Log in to NeT CGP at https://npdes-ereporting.epa.gov/net-cgp and select your role for the NETCGP program service.

6.1.2 From the NeT CGP Landing Page, under the "Create New/Request Permissions" section, click the **Create new NOI or LEW** button.

6.1.3 Enter your Project/Site or Operator Name into the search box to make sure the form has not already been created.

6.1.4 If the Project/Site is not found, click **Create New Project/Site**.



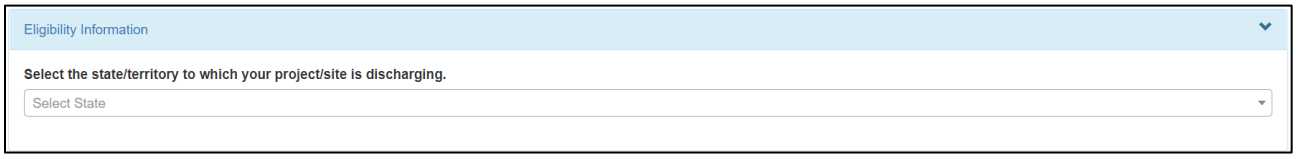
6.1.5 You will be taken to the CGP Eligibility Information screen to start entering the Permit Information.

6.2 Completing the NOI Form

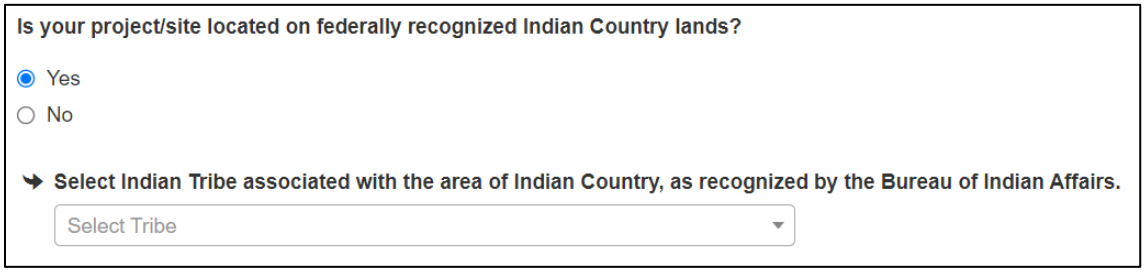
6.2.1 Permit Information (Determining Eligibility)

The first set of questions you will be prompted to answer on the NOI form is in the Permit Information section. These questions are designed to determine eligibility. Based on your answers to these questions, you will either be prompted to proceed in filling out the remainder of the NOI form, or you will be notified that you do not meet the requirements for coverage under the CGP. Throughout this form, fields marked with an asterisk (*) are required and must be filled in. At any point along the way, if NeT CGP determines you are not eligible for EPA CGP coverage, you will not be allowed to proceed and will receive a red error message.

(i) Select the State where the construction site is located.



(ii) Indicate if the construction site is located on Indian Country lands or not. If you indicate Yes, a new data field will appear. If applicable, select the name of the Indian Country lands from the drop-down menu. NOTE – The values of available Indian Country lands will be determined based on the State you chose.



(iii) Indicate if you are applying for CGP coverage as a Federal Operator.

Are you a *"Federal Operator"* or a *"Federal Facility"* as defined in Appendix A?

- (●) Yes
- ( ) No

(iv) Indicate if your construction site is less than five (5) acres. If you indicate Yes, a new data field will appear to indicate if your rainfall erosivity factor (R-factor) is less than five (5).

Is construction activity at the project site less than five (5) acres in area?

- (●) Yes
- ( ) No

Is your rainfall erosivity factor (R-Factor) less than five (5)?

- ( ) Yes
- ( ) No

If you indicate No, you will proceed with the Notice of Intent (NOI) form.

Your construction site has an R-Factor greater than 5. You must complete a **Notice of Intent (NOI)** to obtain coverage under EPA's 2022 CGP. Please continue answering questions to complete your eligibility screening.

If you indicate Yes, you will proceed with the Low Erosivity Waiver (LEW) form.

You qualify for a Low Erosivity Waiver which requires certification that construction activity at the project or site specified shall disturb less than five acres and shall take place during a period when the rainfall erosivity factor is less than five. [40 CFR 122.26(b)(15)(i)(A)] More information on the Low Erosivity Waiver is available on the web in the Construction Rainfall Erosivity Waiver.

(v) Indicate if your construction site is covered under a previously issued NPDES permit. If you indicate Yes, a new data field will emerge. Enter the NPDES ID into the corresponding NPDES ID field.

Have stormwater discharges from your current construction site been covered previously under an NPDES permit?

- (●) Yes
- ( ) No

Provide your most current NPDES ID if you had coverage under permit number if you had coverage under an individual permit.

(vi) Indicate if you will use polymers, flocculants, or other treatment chemicals at your construction site. If you select No, proceed to subsection (vii) below. If you select Yes, a new question will appear asking if you will use cationic treatment chemicals. If you answer No, you will proceed to subsection (vii) below. If you answer Yes, a new question will appear asking if you have been authorized to use cationic treatment chemicals. If you have been authorized, you will be allowed to proceed.

Will you use polymers, flocculants, or other treatment chemicals at your construction site?

- (•) Yes
- ( ) No

Will you use cationic treatment chemicals at your construction site?

- (•) Yes
- ( ) No

Have you been authorized to use cationic treatment chemicals by your applicable EPA Regional Office in advance of filing your NOI?

- (•) Yes
- ( ) No

At the end of the application process you will be required to provide a list of the treatment chemicals you will use. Additionally you will need to attach a copy of your authorization letter and include documentation of the appropriate controls and implementation procedures designed to ensure that your use of cationic treatment chemicals will not lead to a violation of water quality standards.

If you have not been authorized, you will not be allowed to proceed.

You are ineligible for coverage under this permit unless you notify your applicable EPA Regional Office in advance and the EPA office authorizes coverage under this permit after you have included appropriate controls and implementation procedures designed to ensure that your use of cationic treatment chemicals will not lead to a violation of water quality standards.

(vii) Indicate if you have a Stormwater Pollution Prevention Plan (SWPPP) in place. If you indicate Yes, you will be allowed to proceed.

Has a Stormwater Pollution Prevention Plan (SWPPP) been prepared in advance of filling this NOI, as required?

- (•) Yes
- ( ) No

If you do not have a SWPPP, you will not be allowed to proceed.

You may not submit your NOI for coverage under the CGP if you have not developed your Stormwater Pollution Prevention Plan (SWPPP). For information about what information is required in your SWPPP, see Part 7 of the permit.

(viii) Indicate if you meet one of the criteria in Appendix D of the CGP for protection of endangered species. If you indicate Yes, you will be allowed to proceed.

Are you able to demonstrate that you meet one of the criteria listed in Appendix D with respect to protection of threatened or endangered species listed under the Endangered Species Act (ESA) and federally designated critical habitat?

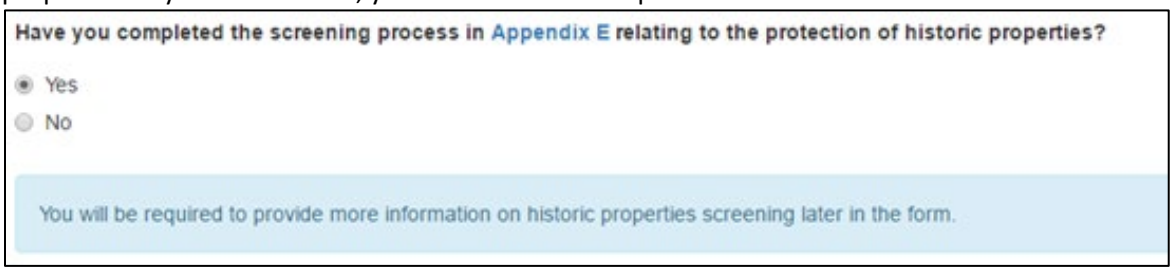
- (•) Yes
- ( ) No

You will be required to provide more information on endangered species protection later in the form.

If you indicate No, you will not be allowed to proceed.

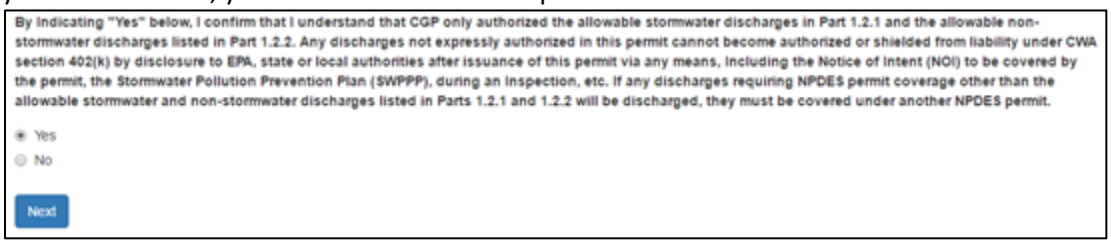
You must meet one of the criteria listed in Appendix D to be eligible to be covered by this permit.

(ix) Indicate if you completed the screening process in Appendix E of the CGP for protection of historic properties. If you indicate Yes, you will be allowed to proceed.

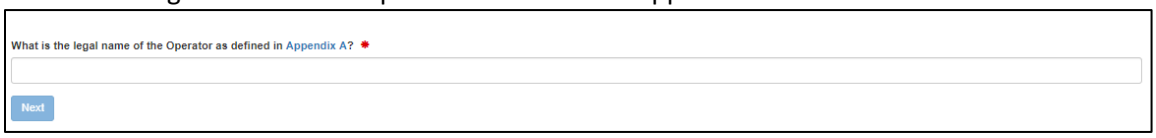


If you have not completed the screening process, you will not be allowed to proceed.

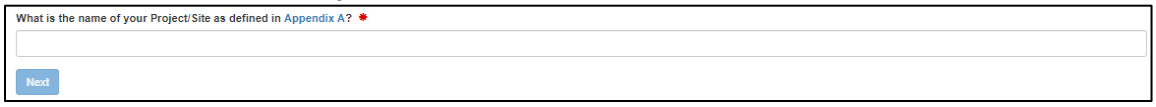
(x) Affirm that you are applying for coverage under the CGP. If you affirm Yes, the **Next** button will appear. If you do not affirm, you will not be allowed to proceed



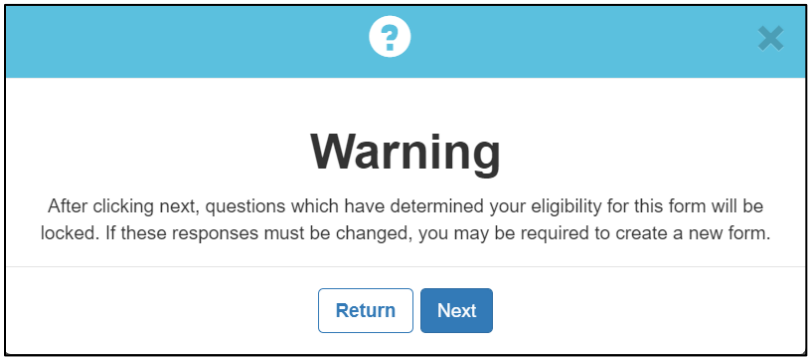
(xi) Provide the legal name of the Operator as defined in Appendix A.



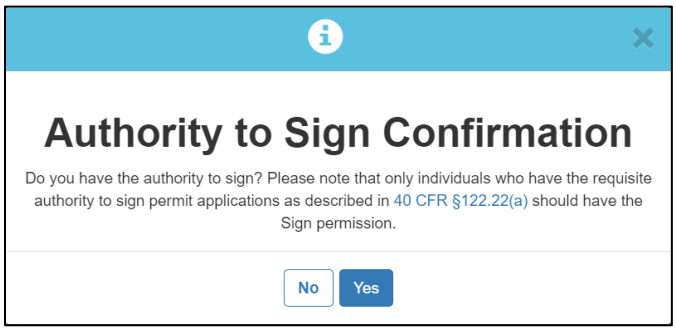
(xii) Provide the name of the Project/site.



(xiii) You will receive a pop-up message warning you that changes to the Permit Information section cannot be edited beyond this point. If you need to return to the Permit Information section and make edits, click **Return**. If you wish to proceed, click **Next**.

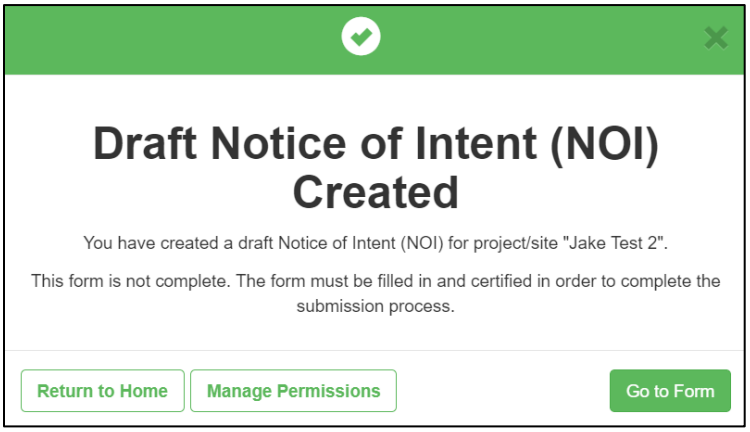


(xiv) If you are a Signatory, you will receive another message asking if you have the Authority to Sign. Click Yes or No.

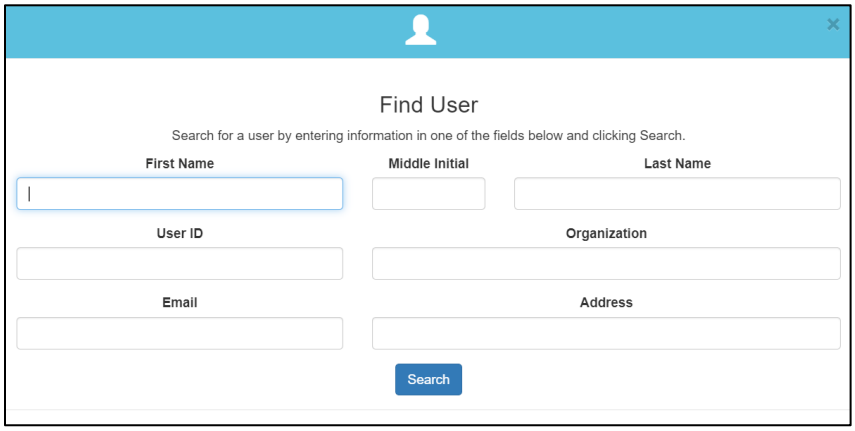


(xv) A pop-up message will appear with a confirmation that you have successfully created a Notice of Intent (NOI). Select the appropriate action.

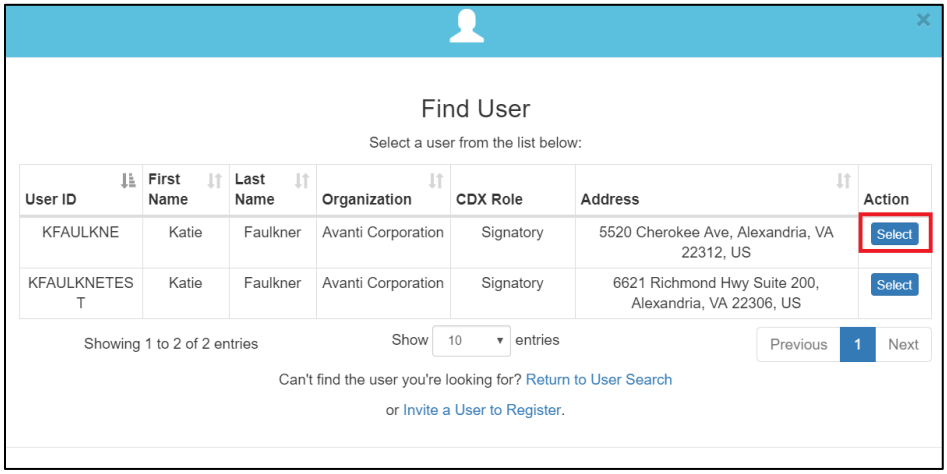
a. **Preparers** will see the following pop-up. If you click, **Go to Form with No Manager** you will continue to the next section of the NOI. You also have the option to **Assign Manager**. This function will allow you to assign form access to the Signatory if he/she has registered as a Signatory with NeT CGP. NOTE – This can also be done later from the NeT CGP Landing Page.



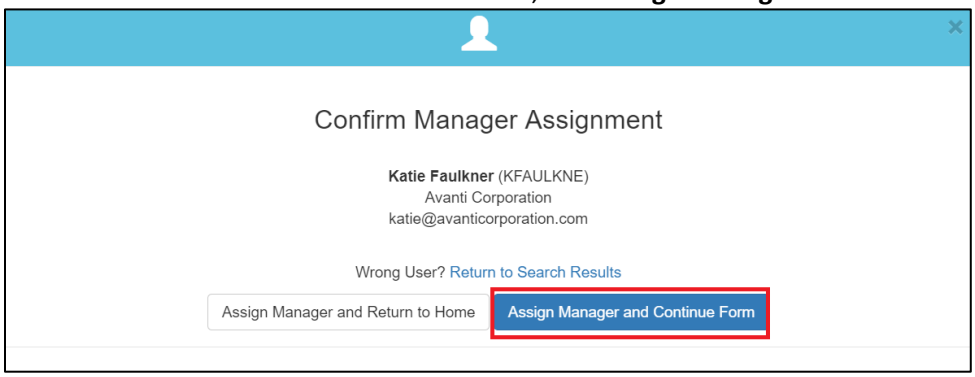
- **Assign Manager:** A new pop-up will appear to search for a user by entering information in one (or more) of the fields below. Click **Search**. NOTE – User must have an active Signatory role in NeT CGP. It is recommended to search by last name and/or email address.



- If your Signatory is found in the search, click **Select**.

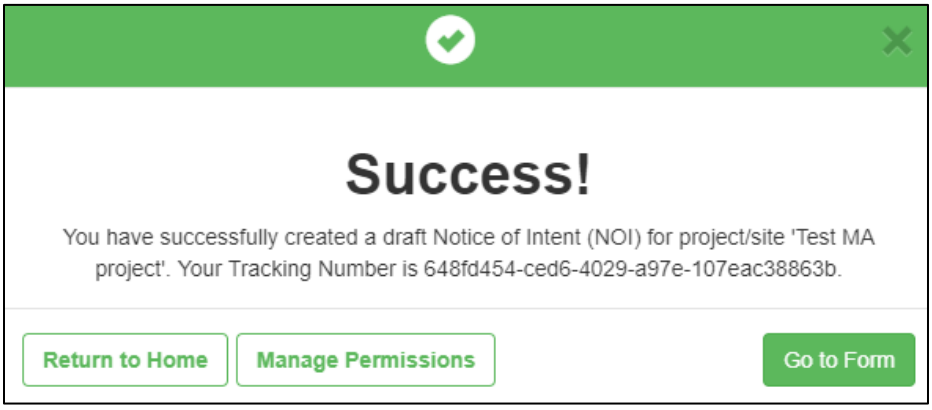


- After selecting the appropriate user, you will be prompted to Confirm the Manager Assignment. To confirm and continue to the rest of the form, click **Assign Manager and Continue Form**.



- After clicking **Assign Manager and Continue Form**, you will be directed to the form to complete the remaining sections.

b. **Signatories**: Users with the Signatory role who are also preparing the NOI, will see the following pop-up. Click **Go to Form** to continue to the next section of the LEW. The Manage Permissions option will allow you to grant form access to another user, if necessary. NOTE – This can also be done later from the NeT CGP Landing Page or a user can request access from their account.



6.2.2 Operator Information

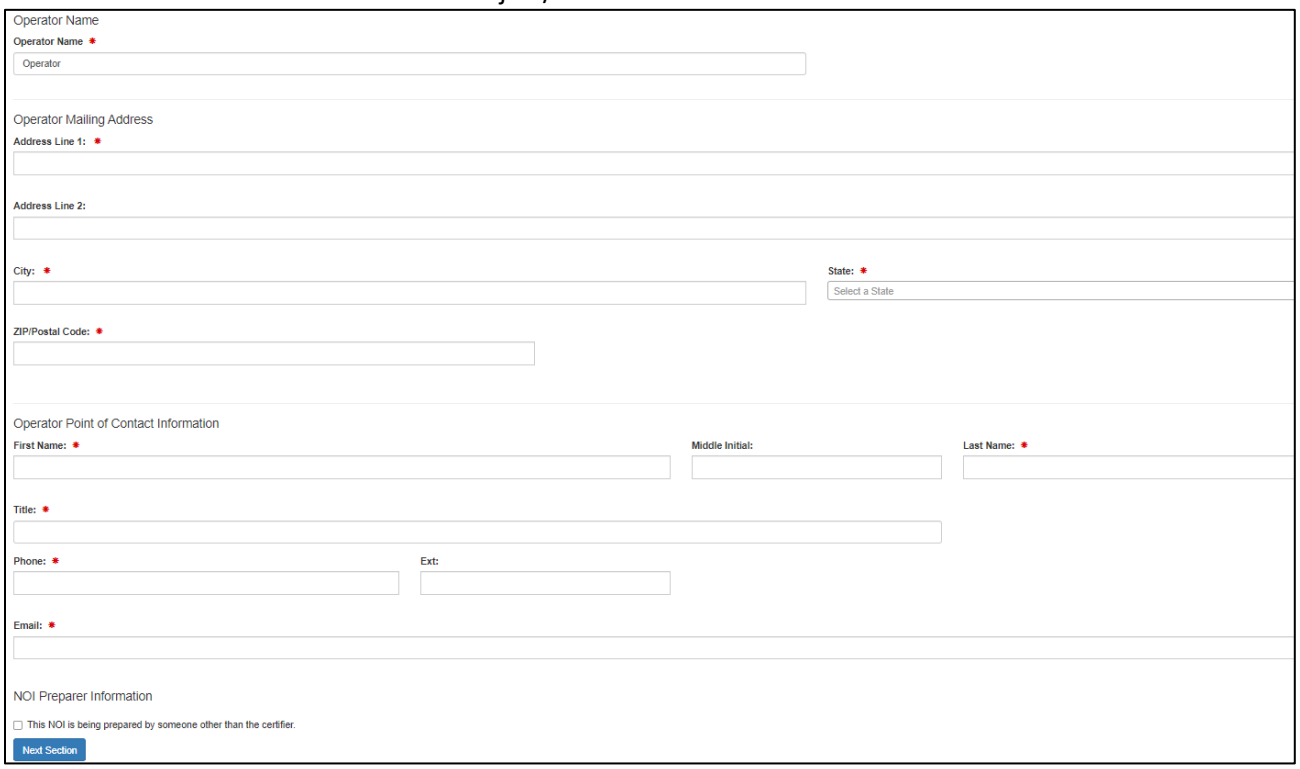
This section of the NOI form is used to capture Operator Information. See Appendix A of the CGP for a more detailed definition of an Operator. All fields marked with an asterisk (*) must be filled in.

(i) Confirm the Operator Name. NOTE – Operator name will automatically be filled-in based on Operator name entered into the Permit Information section. Changes to the Operator name can be made up until the form is certified.

(ii) Enter Operator Mailing Address.

(iii) Enter Operator Point of Contact.

(iv) Click **Next Section** to continue to the Project/Site Information section.



6.2.3 Project/Site Information

This section of the NOI form is used to capture Project/Site Information. All fields marked with an asterisk (*) must be filled in.

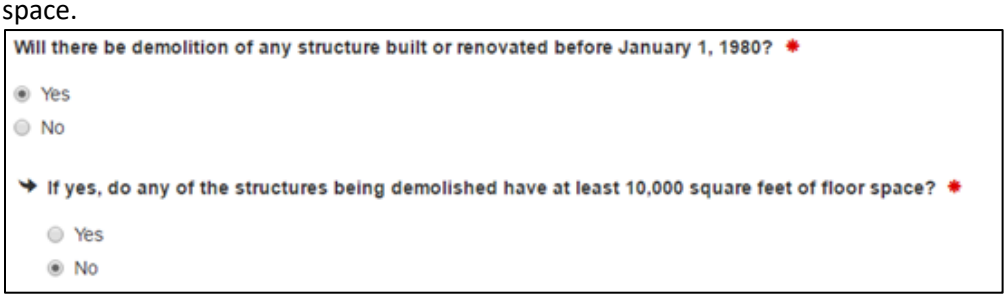
(i) Confirm the Project/Site Name. NOTE – Project/site Name will automatically be filled-in based on Project/Site name entered into the Permit Information section.

(ii) Enter the Project/Site Address. NOTE – If the exact mailing address is unknown, an address description (e.g. “5 miles past mile marker 7 on Hwy 2”) is acceptable.

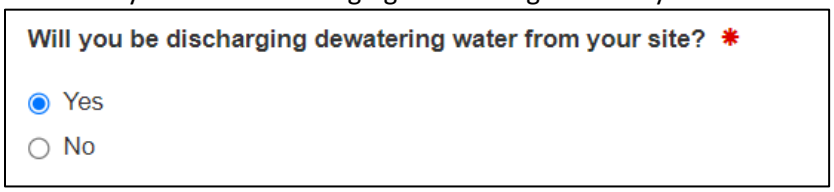
(iii) Enter the Project/Site Latitude & Longitude or find and select the project/site location on the map to place a pin. NOTE – When using the map feature this will fill in the Latitude and Longitude, Data Source, and Horizontal Reference Datum information based on that location.

(iv) Enter the Project Start & End Dates, Estimated Area to be Disturbed, and the Type of Construction Site.

(v) Indicate if there will be demolition of any structures built/renovated prior to 1980. If you indicate Yes, a new question will appear asking if the structure being demolished has at least 10,000 square feet of floor space.



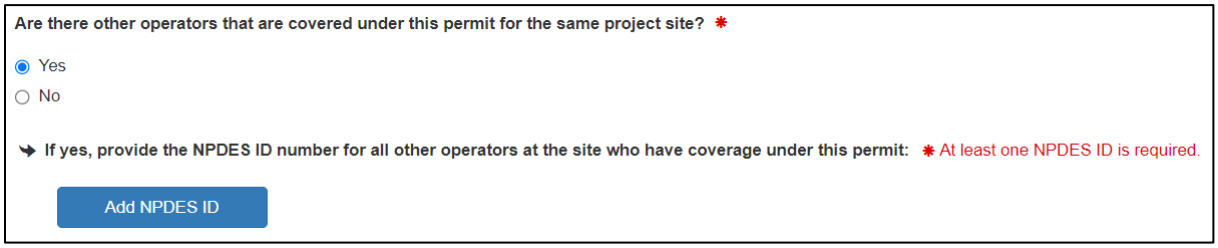
(vi) Indicate if you will be discharging dewatering water at your site.



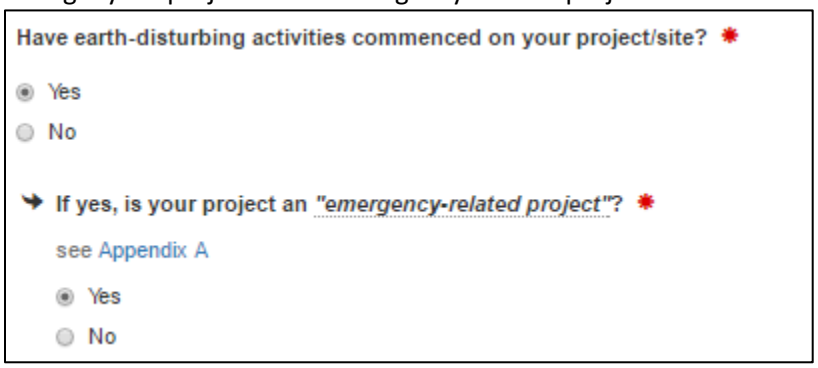
NOTE: Turbidity Monitoring Reports (TMRs) are auto generated in NeTCGP at the end of each quarter. Anyone needing to fill one out will receive one automatically. NeTCGP will also send email notifications to users that are required to submit TMRs, to remind them to do so. Please contact our Help Desk immediately if you know you need to complete a TMR but have not received one.

(vii) Indicate if the pre-development land use was for agriculture.

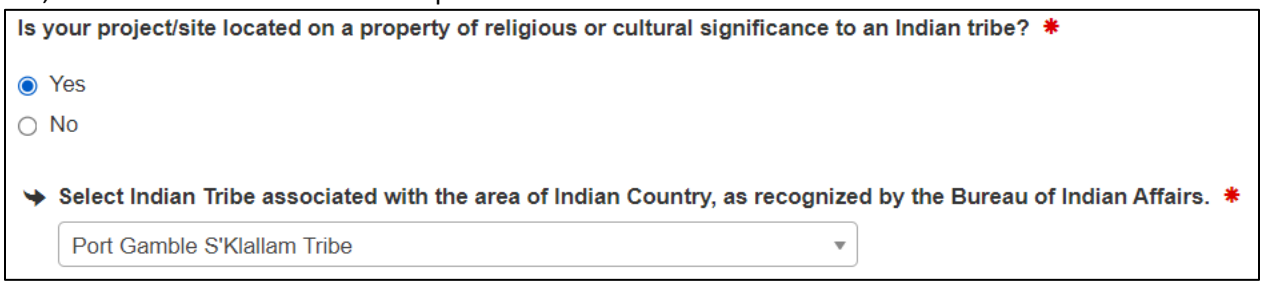
(viii) Indicate if there are other operators covered under this permit for the same project site.



(ix) Indicate if earth-disturbing activities have commenced. If you indicate Yes, a new question will appear asking if your project is an “emergency-related project”.



(x) Indicate if the project is located on property of religious or cultural significance to a tribe. If you indicate Yes, select the location from the drop-down menu.

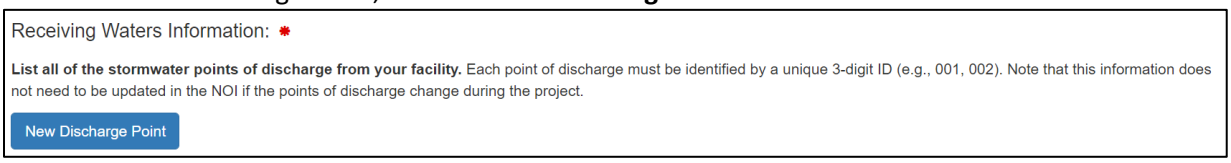


(xi) Click **Next Section** to continue to the Discharge Information section.

6.2.4 Discharge Information

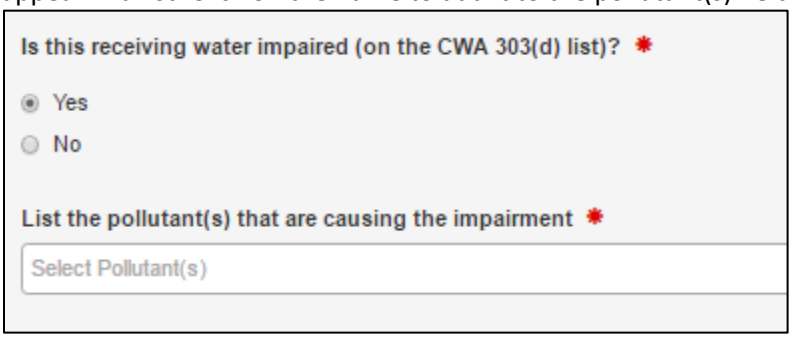
This section of the NOI form is used to capture Discharge Information. All fields marked with an asterisk (*) must be filled in.

(i) Indicate if your Project will discharge into a Municipal Separate Storm Sewer System (MS4).
(ii) Indicate if there are any waters within 50 feet of Project’s earth disturbance.
(iii) Indicate if any waters are designated as Tier 2 (or Tier 2.5) or Tier 3. If you indicate Yes, you will be asked to enter the Tier Designation later in the form when adding a Discharge Point.
(iv) Enter Receiving Water Information.
   a. To enter a new Discharge Point, click the **New Discharge Point** button.

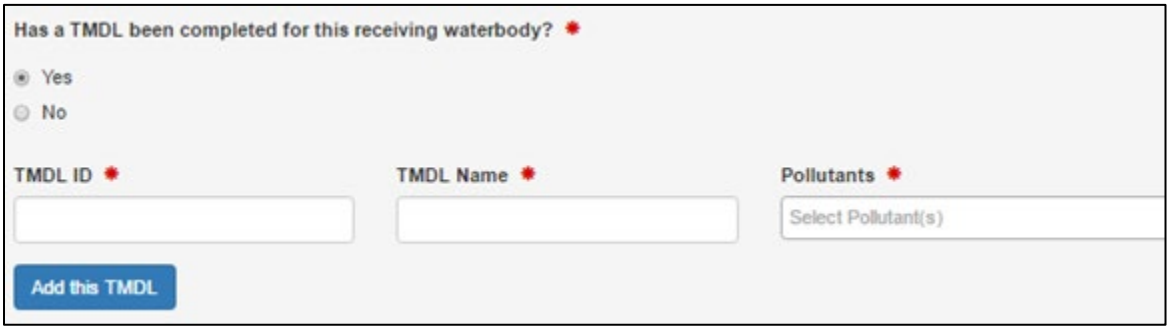


b. Enter the Receiving Water and Latitude/Longitude of the discharge point. NOTE – You can also find and select the discharge point location on the map.

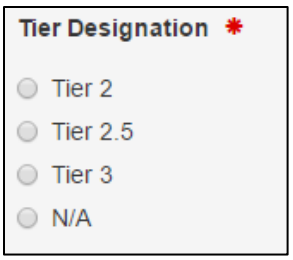
c. Indicate if the receiving water is impaired. If you indicate Yes, a new field will appear asking you to list the pollutant(s) causing the impairment. As you type the pollutant name the available pollutants will appear in a list. Click on the name to add it to the pollutant(s) field.



d. Indicate if a TMDL has been completed for the receiving water body. If you indicate Yes, new fields will appear asking you to enter TMDL information. As you type the pollutant name the available pollutants will appear in a list. Click on the name to add it to the pollutants field.



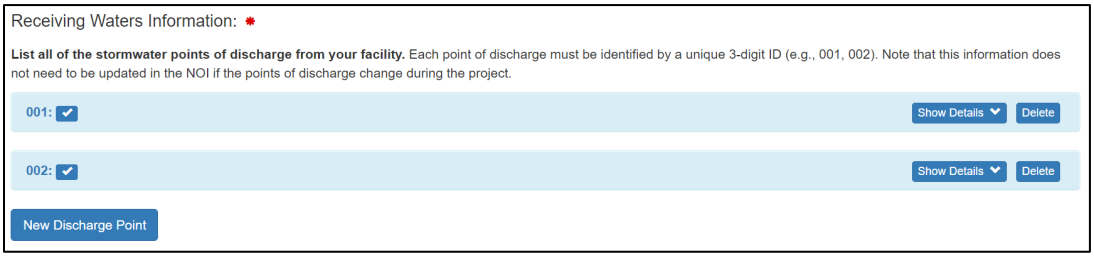
e. If you had previously answered Yes to if any waters are designated as Tier 2 (or Tier 2.5) or Tier 3 above, you will be asked to indicate the Tier Designation. If you had previously answered No, this field is not applicable and will not allow you to answer.



If you answered No to this question above, you'll see the N/A instead of the Tier list:

f. Click either **Save and Add Discharge Point** or **Save and Duplicate Discharge Point**. Save and Add Discharge Point will save the information and return you to the list of discharge points. Save and Duplicate Discharge Point will save the information and create a replica of the discharge point with a sequentially higher Discharge Point ID. The information within this replicated discharge point can be edited.

g. Repeat steps a – f above for each discharge point you need added. Add as many discharge points as you need.



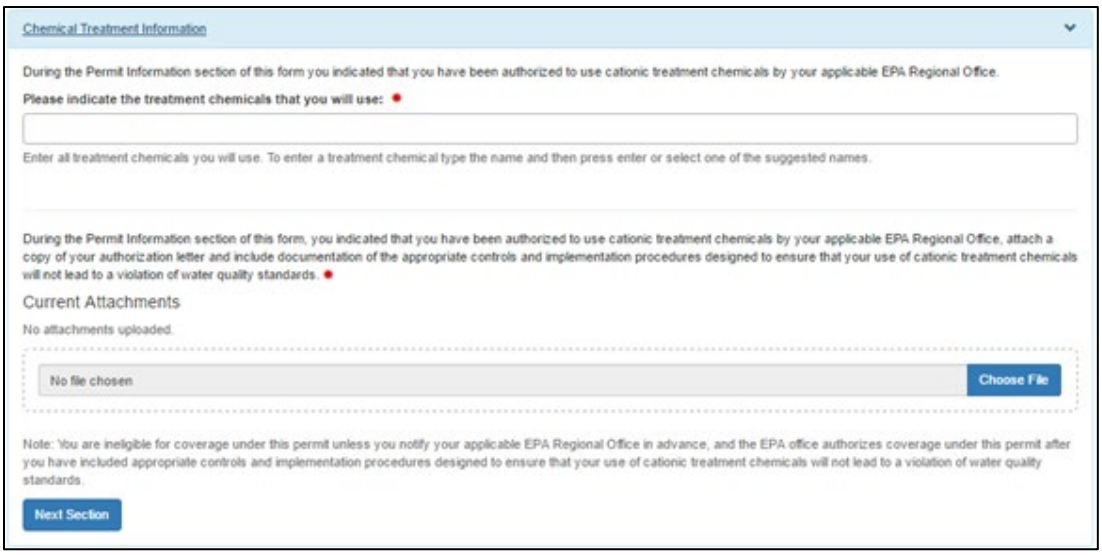
h. To see the details of any Discharge Point, click on the plus **(+)** sign located in the left-most column.
i. You can resort the list in ascending or descending order by clicking on any of the column headers.
j. You can edit a Discharge Point by clicking the **Edit** button.
k. You can remove a Discharge Point by clicking the **Delete** button.

(v) When finished entering all your discharge points, click **Next Section** to continue to the next section.

6.2.5 Chemical Treatment Information (Conditional)

If you had previously indicated that you were authorized by EPA to use cationic treatment chemicals, you must attach a copy of the authorization letter. If you had previously indicated that you do not use cationic treatment chemicals, this section is not applicable and will not be seen.

(i) Enter the Treatment Chemicals to be used.

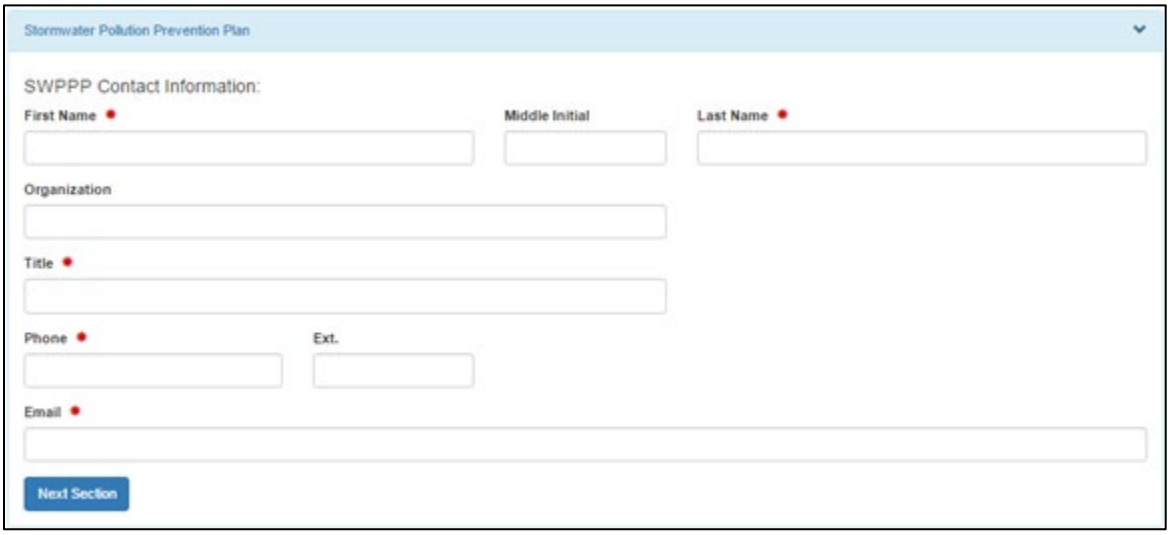


(ii) To attach a copy of the authorization letter click **Choose File** to open the file search.
(iii) Find the file on your computer, select it, and click **Open.**
(iv) Repeat steps above to add as many attachments as you need.
(v) When finished adding all your attachments, click **Next Section** to continue to the SWPPP section.

6.2.6 Stormwater Pollution Prevention Plan (SWPPP)

This section of the NOI form is used to capture Discharge Information. All fields marked with an asterisk (*) must be filled in.

(i) Enter the Stormwater Pollution Prevention Plan Contact Information. All fields marked with an asterisk (*) must be filled in.



(ii) Click **Next Section** to continue to the Endangered Species Protection section.

6.2.7 Endangered Species Protection

The following section will help you in selecting and documenting your eligibility criteria with respect to the protection of federally listed threatened or endangered species and federally designated "critical habitat" under the Endangered Species Act from discharges and discharge-related activities authorized under this permit. A reminder that you must consider Endangered Species Act (ESA) listed threatened or endangered species (ESA-

listed) and/or designated critical habitat(s) under the jurisdiction of both the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) and select the most conservative criterion that applies. When evaluating the potential effects of your activities, you must consider effects to listed species or designated critical habitats within the "action area" of your construction activity, as identified by the **USFWS IPaC** and/or the **NOAA Species Directory**. NOTE – Hover on the "i" icon for a description. Depending on the selection, additional fields may appear asking for additional information. All fields marked with an asterisk (*) must be filled in.

(i) Determine ESA Eligibility.

Determine ESA Eligibility Criterion

Are your discharges and discharge-related activities already addressed in another operator's valid certification of eligibility for your "action area" under the current 2022 CGP? *

- (●) Yes
- ( ) No

I have confirmed that the other operator's certification of eligibility accounted for my action area and that the eligibility certification was valid. *This field is required.

- ( ) True
- ( ) False

(ii) Indicate whether consultation has taken place.

Has consultation between you, a Federal Agency, and the USFWS and/or the NMFS under section 7 of the Endangered Species Act (ESA) concluded?

Consultations can be either formal or informal, and would have occurred only as a result of a separate federal action (e.g., during application for an individual wastewater discharge permit or the issuance of a wetlands dredge and fill permit), and the consultation must have addressed the effects of your construction activity's discharges and discharge-related activities on ESA-listed species and/or designated critical habitat under the jurisdiction of USFWS and/or NMFS in your action area.

- (●) Yes
- ( ) No

The result of this consultation was: *

- ( ) Option i
  A biological opinion currently in effect that determined that the action in question (taking into account the effects of your site's discharges and discharge-related activities) is likely to adversely affect, but is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. The biological opinion must have included the effects of your site's discharges and discharge-related activities on all the listed species and designated critical habitat in your action area under the jurisdiction of each Service, as appropriate. To be eligible under (i), any reasonable and prudent measures specified in the incidental take statement must be implemented;
- ( ) Option ii
  Written concurrence (e.g., letter of concurrence) from the applicable Service(s) with a determination that your site's discharges and discharge-related activities are not likely to adversely affect ESA-listed species and/or designated critical habitat. The concurrence letter must have included the effects of your site's discharges and discharge-related activities on all the ESA-listed species and/or designated critical habitat on your species list(s) acquired from USFWS and/or NMFS as part of this worksheet.
- ( ) Neither

(iii) Indicate whether your construction activities are the subject of a permit under Section 10.

Are your construction activities the subject of a permit under section 10 of the ESA by the USFWS and/or NMFS, and this authorization addresses the effects of your site's discharges and discharge-related activities on ESA-listed species and/or designated critical habitat? *

- ( ) Yes
- (●) No

You must determine whether species listed as either threatened or endangered, or their critical habitat(s) are located in your site's action area (i.e., all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action, including areas beyond the footprint of the site that are likely to be affected by stormwater discharges, discharge-related activities, and authorized non-stormwater discharges).

(iv) Confirm your Action Area.

Determine your Action Area

You must consider the following in determining the action area for your site, and **confirm that all the following are true**:

- **In determining my "action area", I have considered that discharges of pollutants into downstream areas can expand the action area well beyond the footprint of my site and the discharge point(s). I have taken into account the controls I will be implementing to minimize pollutants and the receiving waterbody characteristics (e.g., perennial, intermittent, ephemeral) in determining the extent of physical, chemical, and/or biotic effects of the discharges. I confirm that all receiving waterbodies that could receive pollutants from my site are included in my action area.** *

  - (●) True
  - ( ) False

- **In determining my "action area", I have considered that discharge-related activities must also be accounted for in determining my action area. I understand that discharge-related activities are any activities that cause, contribute to, or result in stormwater and authorized non-stormwater point source discharges, and measures such as the siting, construction timing, and operation of stormwater controls to control, reduce, or prevent pollutants from being discharged. I understand that any new or modified stormwater controls that will have noise or other similar effects, and any disturbances associated with construction of controls, are part of my action area.** *

  - (●) True
  - ( ) False

(v) Confirm whether you've checked the National Marine Fisheries Service website. If there are NMFS-protected species, upload a copy of the printout.

Determine if ESA-listed species and/or designated critical habitat are in your site action area.

ESA-listed species and designated critical habitat are under the purview of the NMFS and the USFWS, and in many cases, you will need to acquire species and critical habitat lists from both federal agencies.

National Marine Fisheries Service (NMFS)

For NMFS species and designated critical habitat information, use the following webpage:
- https://www.epa.gov/npdes/construction-general-permit-cgp-threatened-and-endangered-species-eligibility

I have checked the webpage listed above and confirmed that: *

- ( ) There are no NMFS-protected species and/or designated critical habitat in my action area.
- (●) There are NMFS-protected species and/or designated critical habitat in my action area.

For NMFS species, include the full printout from the Species Directory with the correct Region selected. *

No file chosen [Choose File]

(vi) Confirm whether you've checked the US Fish and Wildlife Service website. If there are FWS-protected species, upload a copy of the printout.

U.S. Fish and Wildlife Service (USFWS)

For USFWS species and critical habitat information, use the following webpage:
- https://www.epa.gov/npdes/construction-general-permit-cgp-threatened-and-endangered-species-eligibility

I have checked the webpage listed above and confirmed that: *

- ( ) There are no FWS-protected species and/or designated critical habitat in my action area.
- (●) There are FWS-protected species and/or designated critical habitat in my action area.

For FWS species, include the full printout from your IPaC query/Official Species List. *

No file chosen [Choose File]

(vii) Once all questions has been answered, click **Next Section** to continue to the Historic Preservation section.

6.2.8 Historic Preservation

Enter Historic Preservation Information. All fields marked with an asterisk (*) must be filled in.

(i) Indicate if you are installing any controls that require subsurface disturbance. If you indicate Yes, a new question will appear. If you indicate No, skip to part (vi) below.

Are you installing any stormwater controls as described in Appendix E that require subsurface earth disturbances? (Appendix E, Step 1) *

- (•) Yes
- ( ) No

(ii) If you indicated Yes to (i) above, indicate if prior surveys or evaluations conducted on the site have already determined historic properties do not exist or that prior disturbances have precluded the existence of historic properties. If you indicate No, another question will appear. If you indicate Yes, skip to part (vi) below.

Have prior surveys or evaluations conducted on the site already determined historic properties do not exist, or that prior disturbances have precluded the existence of historic properties? (Appendix E, Step 2) *

- ( ) Yes
- (•) No

(iii) If you had indicated No to (ii) above, indicate if you determined that your installation of subsurface earth-disturbing stormwater controls will have no effect on historic properties. If you indicate No, an additional question will appear. If you indicate Yes, skip to part (vi) below.

Have you determined that your installation of subsurface earth-disturbing stormwater controls will have no effect on historic properties? (Appendix E, Step 3) *

- ( ) Yes
- (•) No

(iv) If you had indicated No to (iii) above, indicate if the SHPO, THPO, or other tribal representative (whichever applies) responded to you within the 15 calendar days to indicate whether the subsurface earth disturbances caused by the installation of stormwater controls affect historic properties. If you indicate Yes, an additional question will appear. If you indicate No, skip to part (vi) below.

Did the SHPO, THPO, or other tribal representative (whichever applies) respond to you within the 15 calendar days to indicate whether the subsurface earth disturbances caused by the installation of stormwater controls affect historic properties? (Appendix E, Step 4) *

- (•) Yes
- ( ) No

(v) If you had indicated Yes to (iv) above, describe the nature of their response. NOTE – If you select Other, a comment box will appear.

Describe the nature of their response: *

- ( ) Written Indication that no historic properties will be affected by the installation of storm water controls
- ( ) Written indication that adverse effects to historic properties from the installation of stormwater controls can be mitigated by agreed upon actions
- ( ) No agreement has been reached regarding measures to mitigate affects to historic properties from the installation of stormwater controls
- (•) Other:

comment

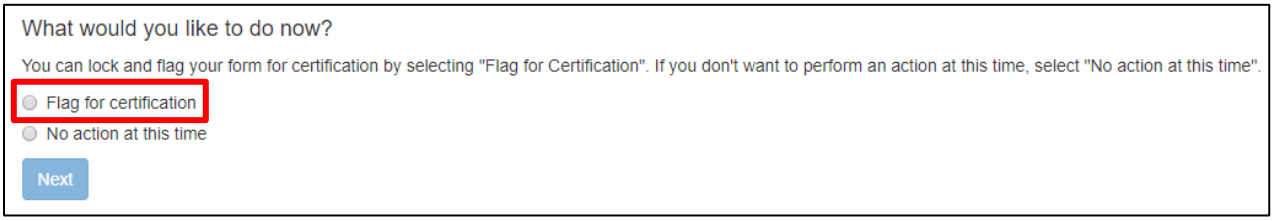
(vi) Click **Next Section** to continue to the Certification Information section.

6.2.9 Certification Information

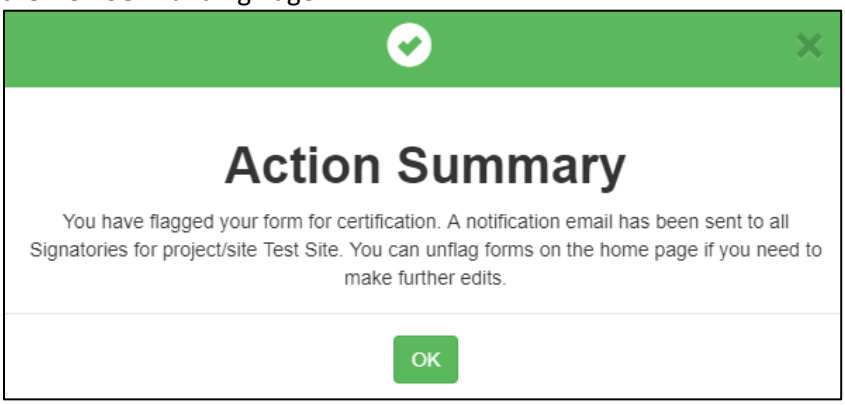
(i) Steps for Preparers

a. Select **Flag for certification** and click **Next.** NOTE – Preparers and Signatories will have the option to flag for certification. This does not certify the form; however, this will notify any existing Signatories already associated with the form that it is ready for review and certification. The other option is “No action at this time,” which will leave the form in draft status until it is either flagged for certification later or

certified by the Signatory.

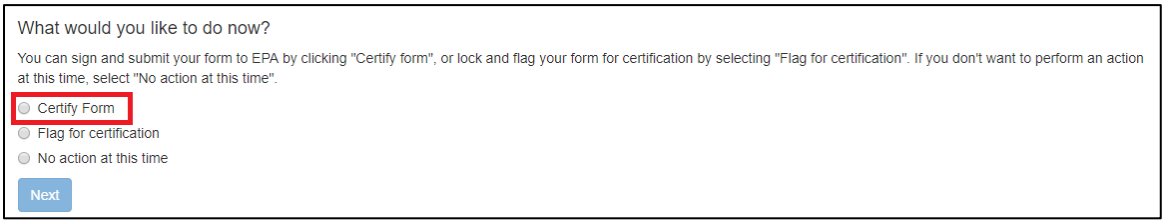


b. A pop-up will appear confirming that the form has been flagged for certification. Click **OK** to return to the NeT CGP Landing Page.

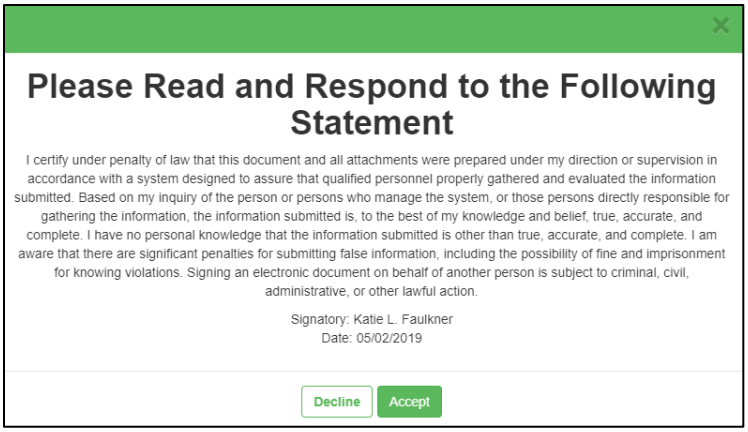


(ii) Steps for Signatories

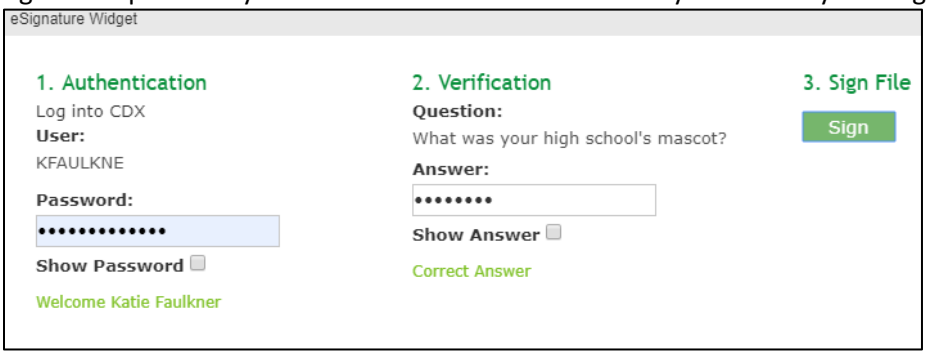
a. Select **Certify Form** and click **Next.**



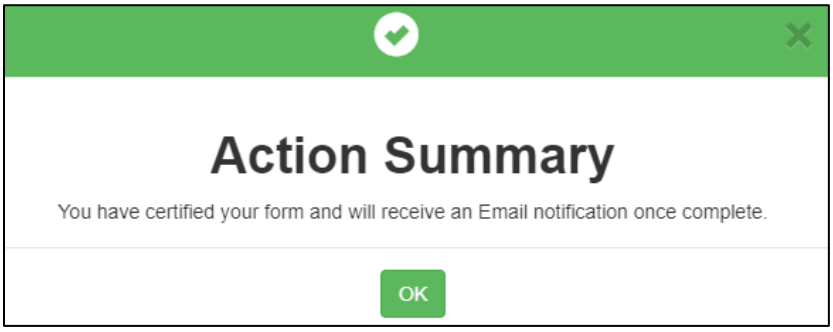
b. A pop-up window will appear informing you that under penalty of law, the information you are about to submit is accurate and truthful to the best of your knowledge. Click **Accept** to continue.



c. Enter your CDX password. Click **Login.** You will be prompted to provide an answer to one of the five signature questions you created and click **Answer**. Certify the form by clicking **Sign**.



d. You will receive a pop-up message confirming that the submission of the NOI. Click **OK.**



7. Apply for Low Erosivity Waiver (LEW)

7.1 Do I Qualify for a LEW?

EPA may waive permit requirements for stormwater discharges from construction activities that disturb less than five (5) acres if the construction activity will take place during a period when the rainfall erosivity factor (R-Factor) is less than five (5). If your project is located in one of the areas where EPA is the NPDES permitting authority, your project disturbs less than 5 acres, and has a R-Factor of less than 5, then you qualify for a LEW. If you do not qualify for a LEW, you must complete the Notice of Intent (NOI).

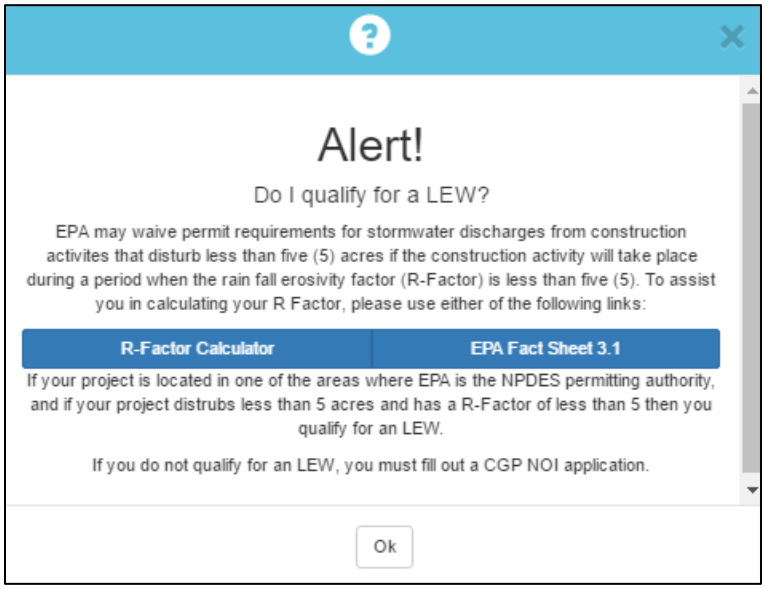
7.1.1 R-Factor Calculation

In order to qualify for a Low Erosivity Waiver, the project must have an R-Factor (or Rainfall Erosivity Factor) of five (5) or less. There are various methods for determining R-Factor. EPA offers an online tool that can be

accessed within NeT CGP or by visiting EPA's web page at https://www.epa.gov/npdes/rainfall-erosivity-factor-calculator-small-construction-sites.

(i) On the NeT CGP Landing Page, click **Do I qualify for a LEW?**

(ii) A pop-up window will appear providing options on how to calculate the R-factor for waiver eligibility. To access EPA's online tool, click the **R-factor Calculator** button. NOTE – To calculate R-Factor, you will need the project's start and end dates, as well as the project's latitude and longitude or address. The calculated result will let you know if your R-Factor is in acceptable limits to qualify for a LEW or not.



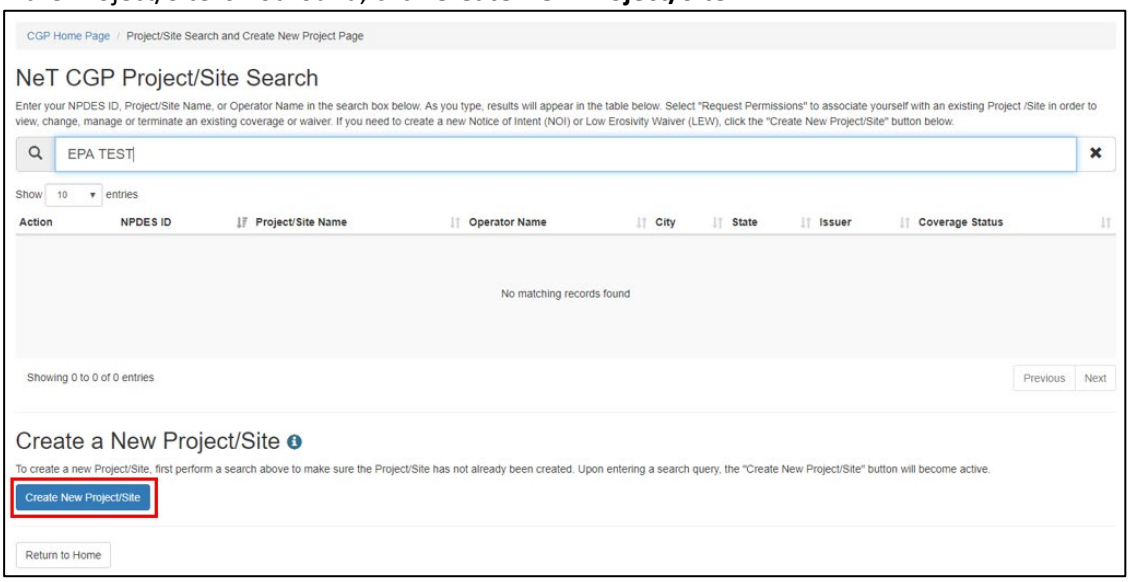
7.2 Access the LEW Form

7.2.1 Log in to NeT CGP at https://npdes-ereporting.epa.gov/net-cgp and select your role for the NETCGP program service.

7.2.2 From the NeT CGP Landing Page, under the "Create New/Request Permissions" section, click the **Create new NOI or LEW** button.

7.2.3 Enter your Project/Site or Operator Name into the search box to make sure the form has not already been created.

7.2.4 If the Project/Site is not found, click **Create New Project/Site**.



7.2.5 You will be taken to the CGP Eligibility Information screen to start entering the Permit Information.

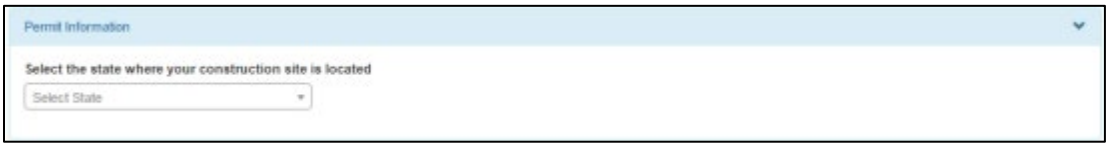
7.3 Completing the LEW Form

7.3.1 Permit Information (Determining Eligibility)

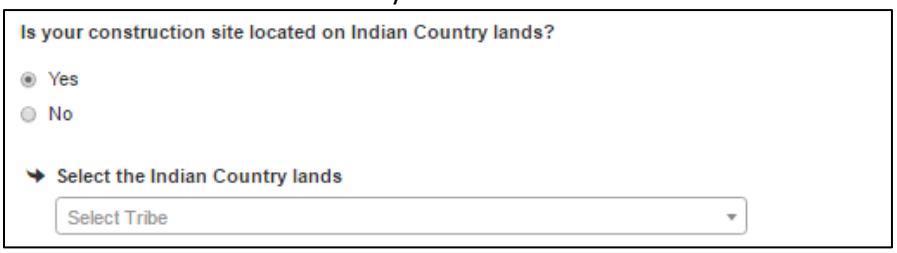
The first set of questions on the LEW form is in the Permit Information section of the form. These questions are designed to determine LEW eligibility. Based on your answers to these questions, you will either be prompted to proceed in filling out the remainder of the LEW form, or you will be notified that you do not meet the

eligibility requirements. Fields marked with an asterisk (*) must be filled in. Throughout the process of filling out the Permit Information section, NeT CGP will evaluate and determine your eligibility for a LEW. At any point along the way, if NeT CGP determines you are not eligible, you will not be allowed to proceed and will receive a red error message.

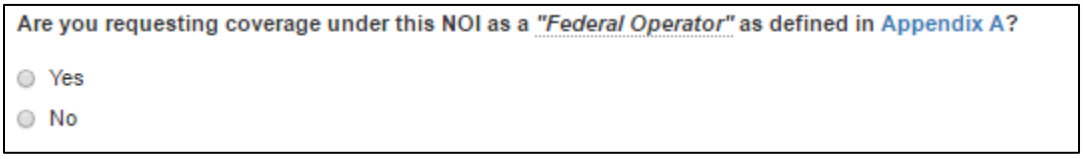
(i) Select the State where construction site is located.



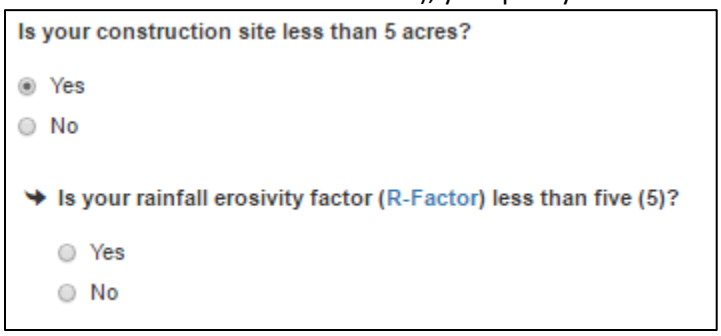
(ii) Indicate if the construction site is located on Indian Country lands or not. If you indicate Yes, a new data field will appear. Select the name of the Indian Country lands from the drop-down menu. NOTE – The values of available Indian Country lands will be determined based on the State you chose previously.



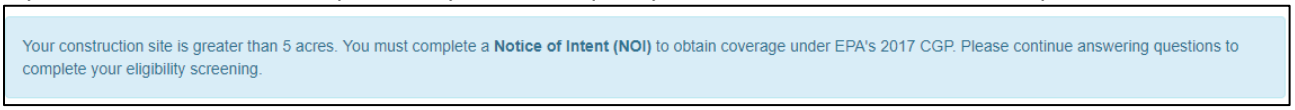
(iii) Indicate if you are a Federal Operator.



(iv) Indicate if your construction site is five (5) acres or less. If you indicate Yes, a new question will appear asking if your R-Factor is less than five (5). If you indicate Yes to both questions (construction site less than five acres and R-Factor less than 5), you qualify for a LEW.



If you indicate No to either question, you do not qualify for a LEW and will need to complete an NOI.



Your construction site has an R-Factor greater than 5. You must complete a **Notice of Intent (NOI)** to obtain coverage under EPA's 2017 CGP. Please continue answering questions to complete your eligibility screening.

(v) If you qualify for a Low Erosivity waiver, enter the legal name of the Operator.

You qualify for a Low Erosivity Waiver which requires certification that construction activity at the project or site specified shall disturb less than five acres and shall take place during a period when the rainfall erosivity factor is less than five. [40 CFR 122.26(b)(15)(i)(A)] More information on the Low Erosivity Waiver is available on the web in the Construction Rainfall Erosivity Waiver.

To complete creation of your Draft LEW, please respond to the following questions

What is the legal name of the Operator as defined in Appendix A? *

(vi) Enter the name of the Project/Site.

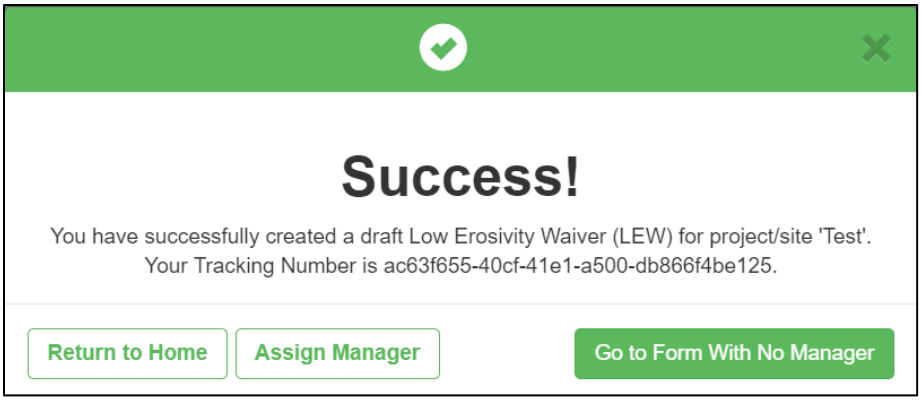
What is the name of your Project/Site as defined in Appendix A? *

Next

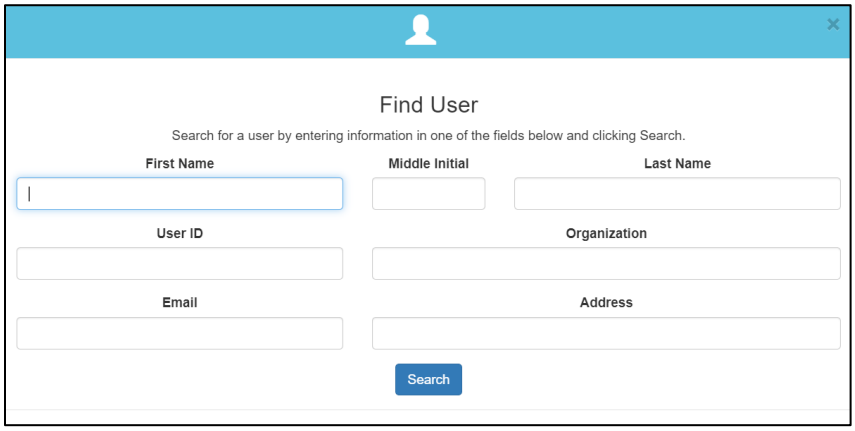
(vii) You will receive a pop-up message letting you know that changes to the Permit Information section of the form cannot be edited beyond this point. If you need to return to the Permit Information section and make edits, click **Return**. If you wish to proceed, click **Next**.

(viii) A pop-up message will appear with a confirmation that you have successfully created a Low Erosivity Waiver (LEW). Select the appropriate action.

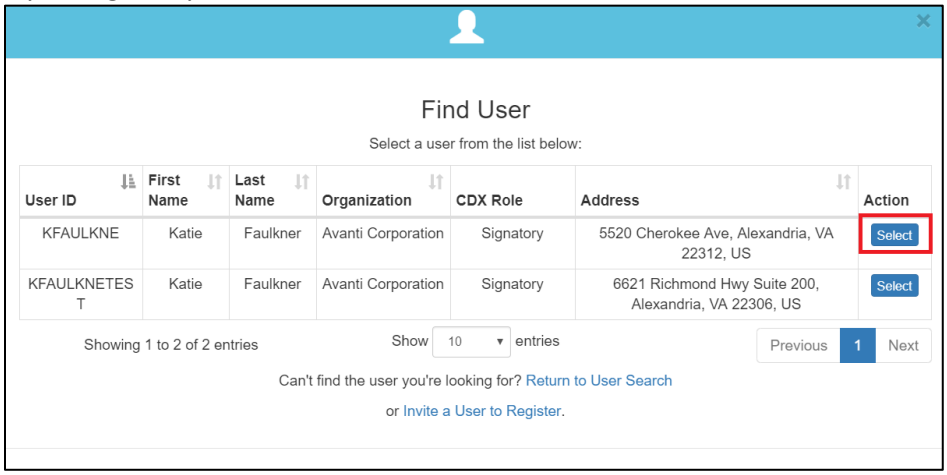
a. **Preparers** will see the following pop-up. If you click, **Go to Form with No Manager** you will continue to the next section of the LEW. You will also have the option to **Assign Manager**. This function will allow you to assign form access to the Signatory if he/she has registered as a Signatory with NeT CGP. NOTE – This can also be done later from the NeT CGP Landing Page.



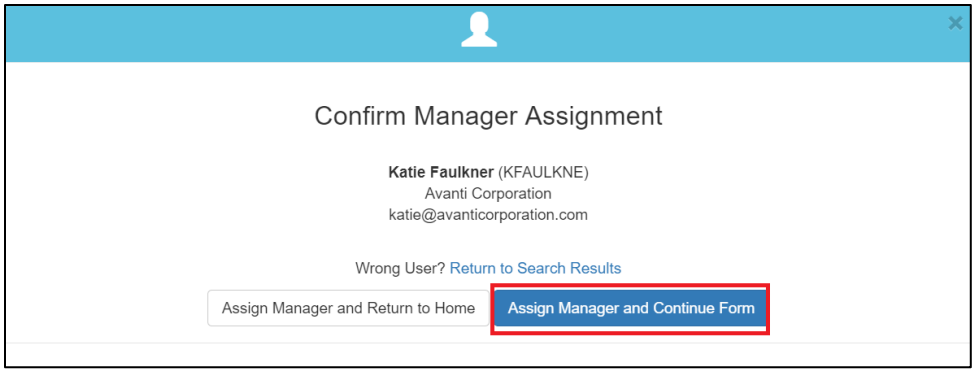
- **Assign Manager:** A new pop-up will appear to search for a user by entering information in one (or more) of the fields below. Click **Search**. NOTE – User must have an active Signatory role in NeT CGP. It is recommended to search by last name and/or email address. Active



- If your Signatory is found in the search, click **Select**.

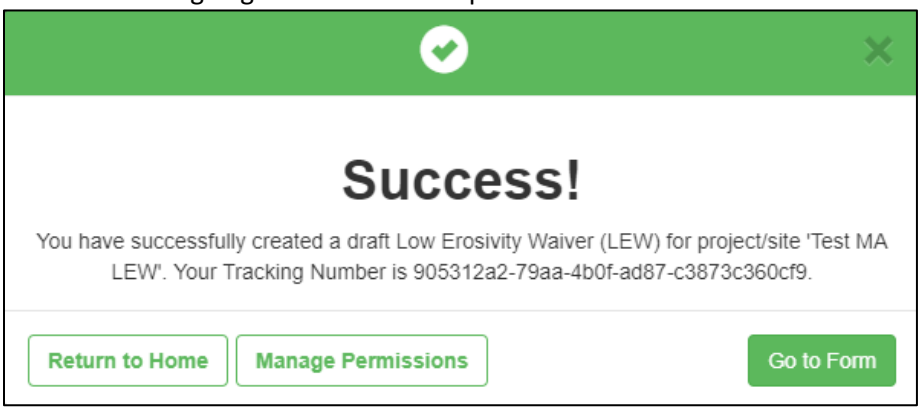


- After selecting the appropriate user, you will be prompted to Confirm the Manager Assignment. To confirm and continue to the rest of the form, click **Assign Manager and Continue Form**. Net CGP electronic form. Confirm manager assignment pop up window, with red rectangle outlining assign manager and continue form.



- You will be directed to the form to complete the remaining sections.

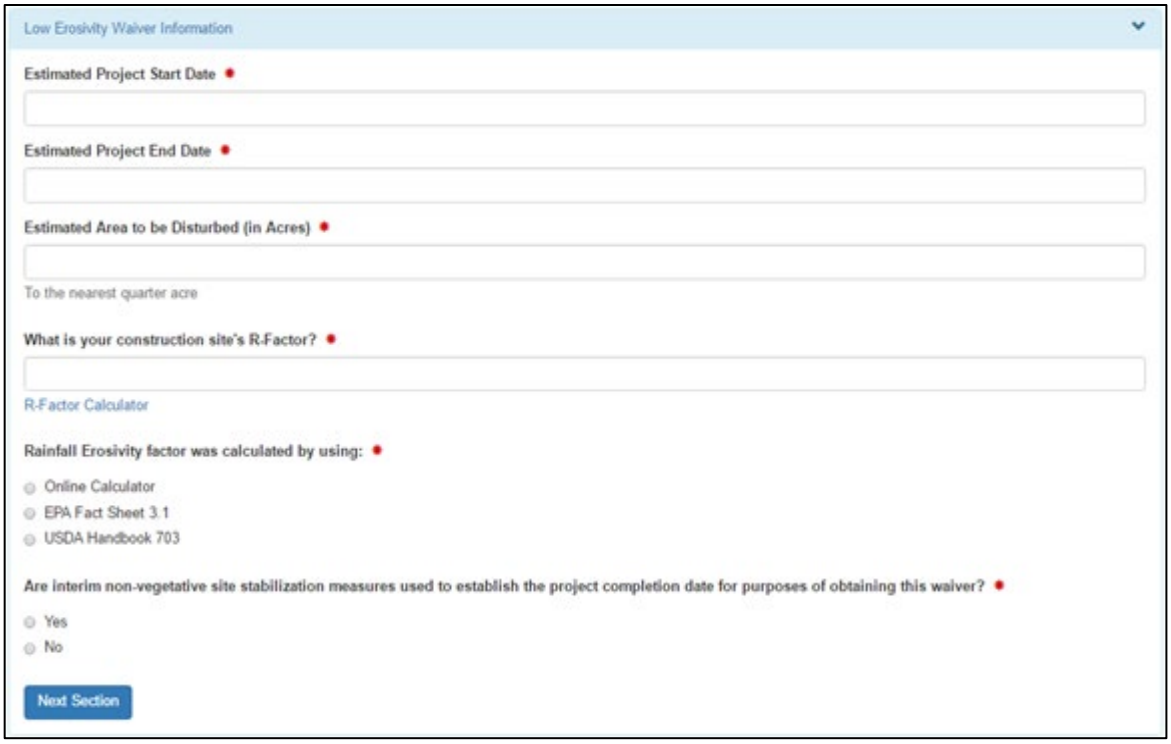
b. **Signatories**: Users with the Signatory role, who are also preparing the LEW, will see the following pop-up. Click **Go to Form** to continue to the next section of the LEW. The **Manage Permissions** option will allow you to grant form access to another user, if necessary. NOTE – This can also be done later from the NeT CGP Landing Page or a user can request access from their account.



7.3.2 Low Erosivity Waiver Information

Enter information on the Low Erosivity Waiver Information section. All required fields are marked with an asterisk (*).

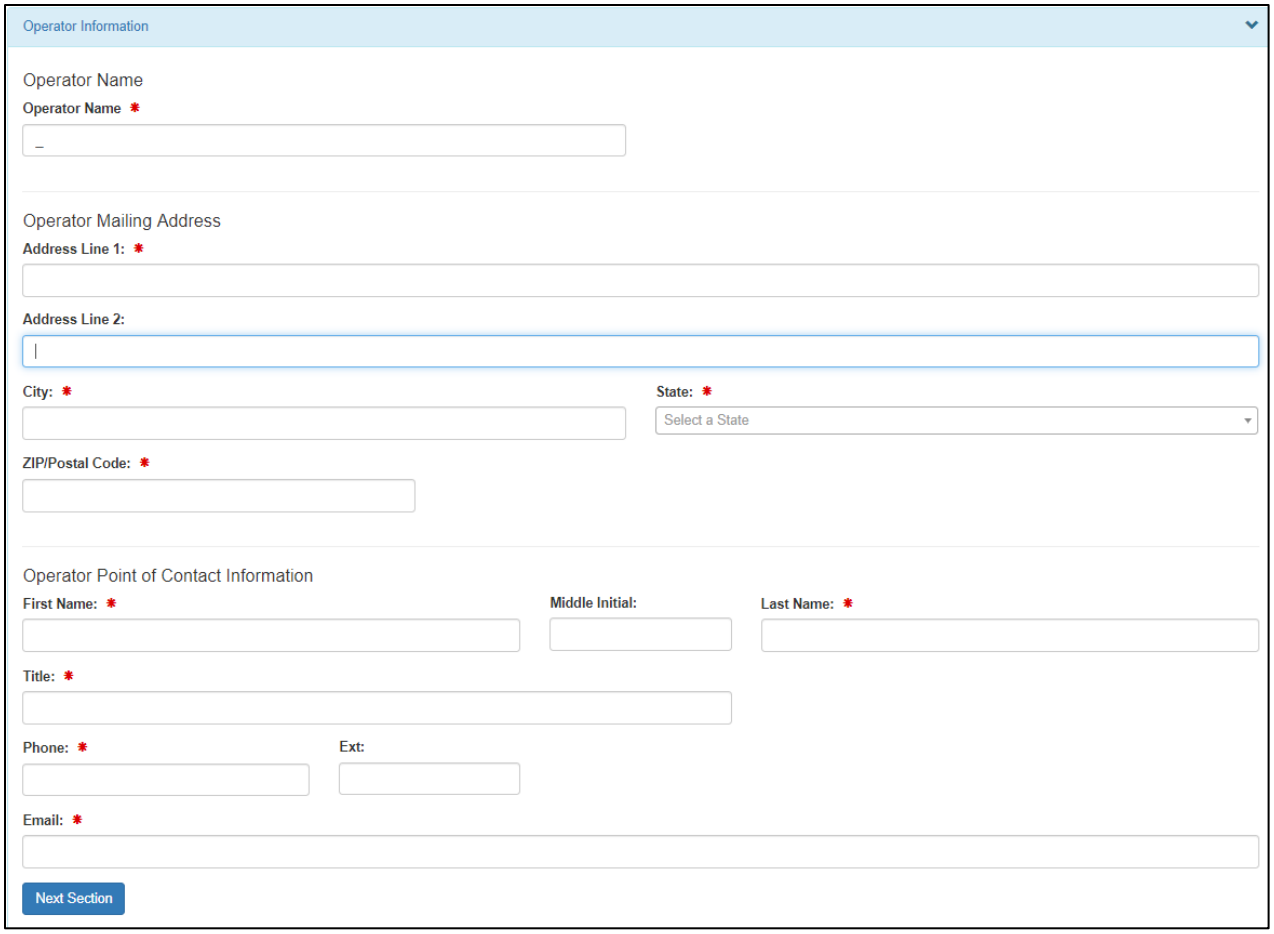
(i) Enter Project Start and End Dates.
(ii) Enter the Project acreage and area to be disturbed. NOTE – Area must be less than 5 acres.
(iii) Enter the calculated R-Factor and method used for calculation. NOTE – R-factor must be less than 5.
(iv) Indicate if non-vegetative site stabilizers were used.
(v) Click **Next Section** to continue to the Operator Information section.



7.3.3 Operator Information

Enter information on the Operator Information section. All required fields are marked with an asterisk (*).

(i) Enter the Operator Name.
(ii) Enter the Operator Address.
(iii) Enter Operator Point of Contact information.
(iv) Click **Next Section** to continue to the next Project/Site Information section.



7.3.4 Project/Site Information

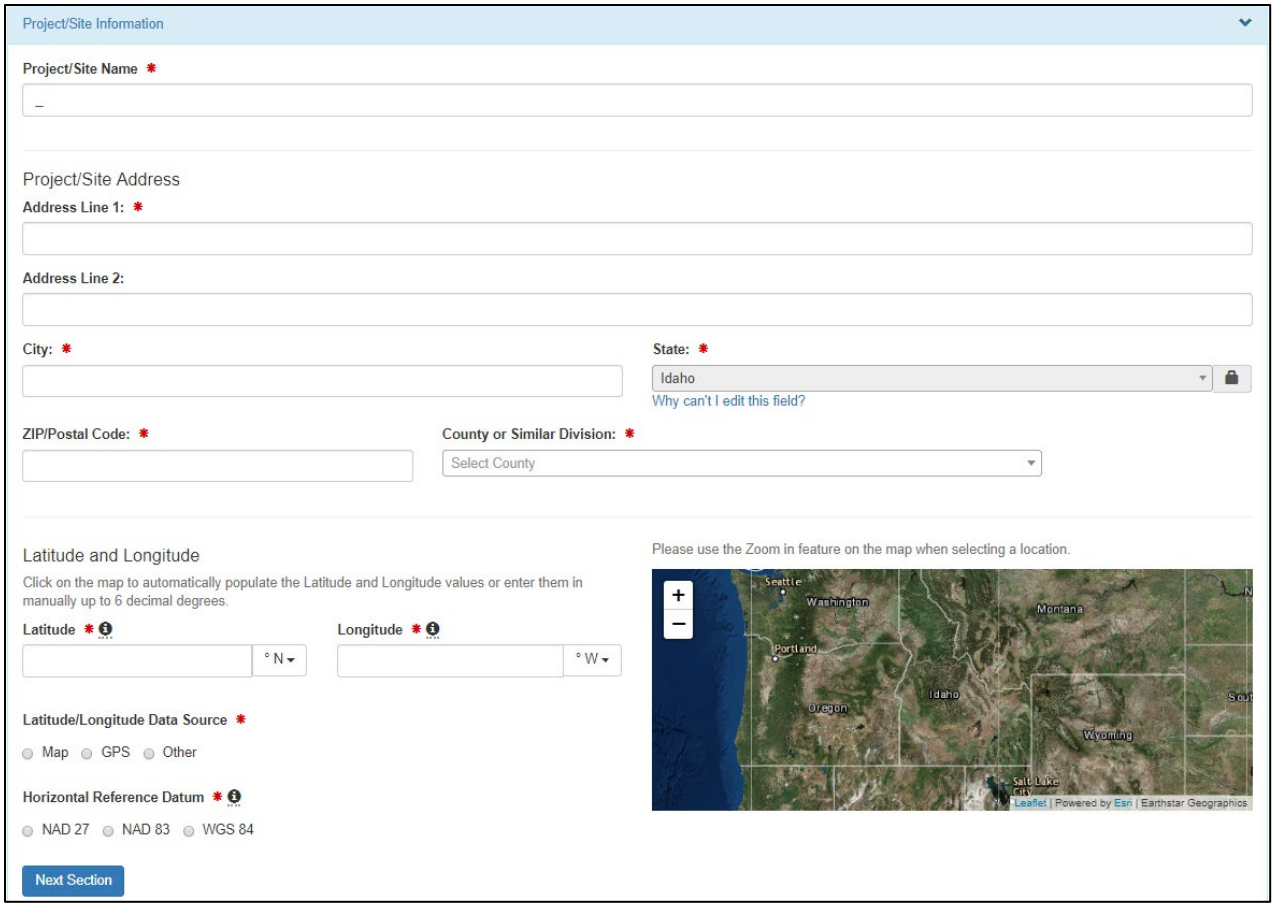
Enter information into the Project/Site Information section. All required fields are marked with an asterisk (*).

(i) Enter the Project/Site Name.

(ii) Enter the Project/Site Address. NOTE – If exact mailing address is unknown, address description (i.e. 5 miles past mile marker 7 on Hwy 2) is acceptable.

(iii) Enter the Project/Site Latitude and Longitude. NOTE – Clicking on the map will place a pin on the map and fill in the Lat/Long, Data Source, and Horizontal Reference Datum information based on that location.

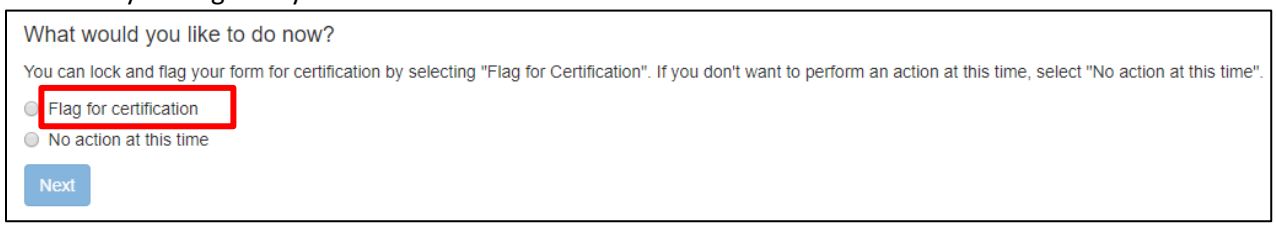
(iv) Click **Next** to continue to the Certification Information section.



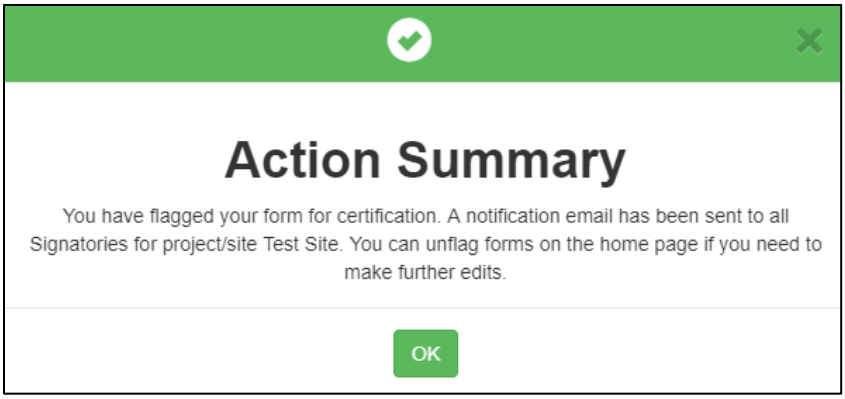
7.3.5 Certification Information

(i) Steps for Preparers

a. Select **Flag for certification** and click **Next.** NOTE – Preparers and Signatories will have the option to flag for certification. This does not certify the form; however, this will notify any existing Signatories already associated with the form that it is ready for review and certification. The other option is "No action at this time," which will leave the form in draft status until it is either flagged for certification later or certified by the Signatory.

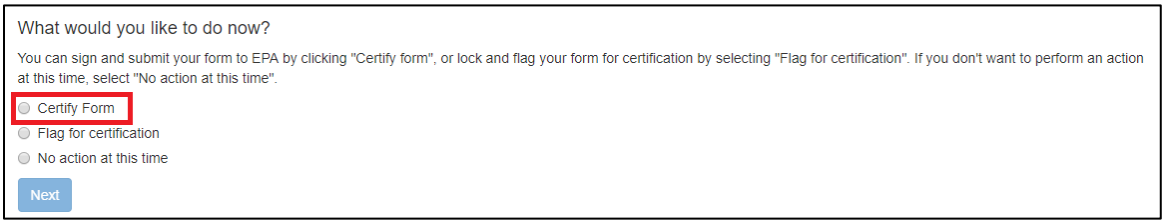


b. A pop-up will appear confirming that the form has been flagged for certification.

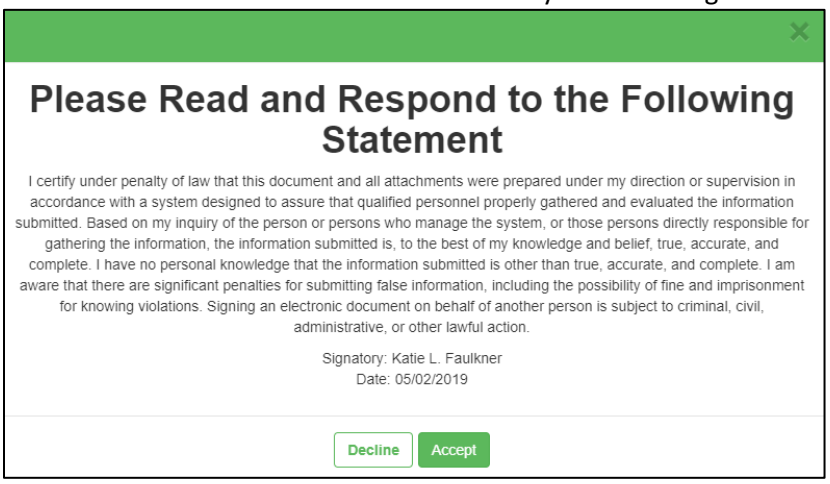


(ii) Steps for Signatories

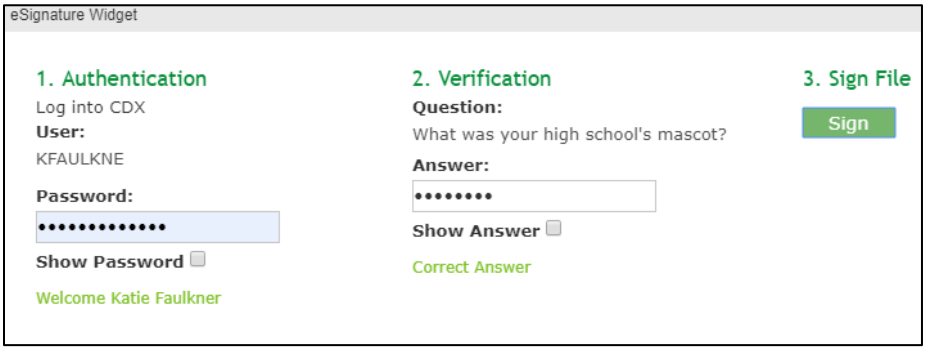
a. Select **Certify Form** and click **Next.**



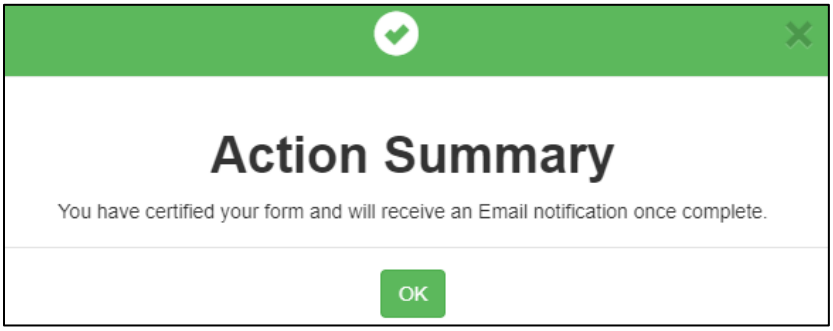
b. A pop-up window will appear informing you that under penalty of law, the information you are about to submit is accurate and truthful to the best of your knowledge. Click **Accept** to continue.



c. Enter your CDX password. Click **Login.** You will be prompted to provide an answer to one of the five signature questions you created and click **Answer**. Certify the form by clicking **Sign**.



d. You will receive a pop-up message confirming that the submission of the NOI. Click **OK.**



8. Termination of NOI/Discontinue LEW

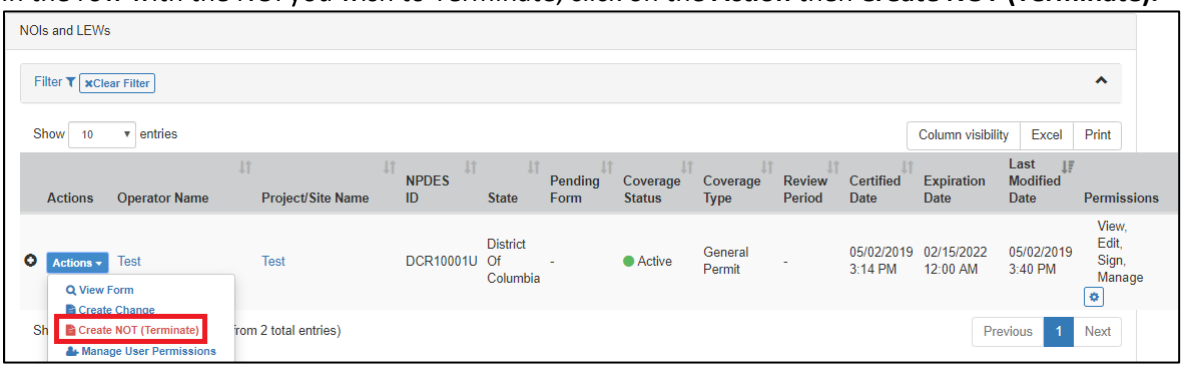
For various reasons, CGP forms may no longer be needed. For NOIs, EPA uses the term "Termination," and for LEWs EPA uses the term "Discontinue." NOTE – A Termination/Discontinue requires the form to be certified by a registered Signatory. Preparers may prepare the Termination/Discontinue but will only be able to flag it for certification.

8.1 Terminate NOI

8.1.1 Log in to NeT CGP at https://npdes-ereporting.epa.gov/net-cgp and select your role for the NETCGP program service.

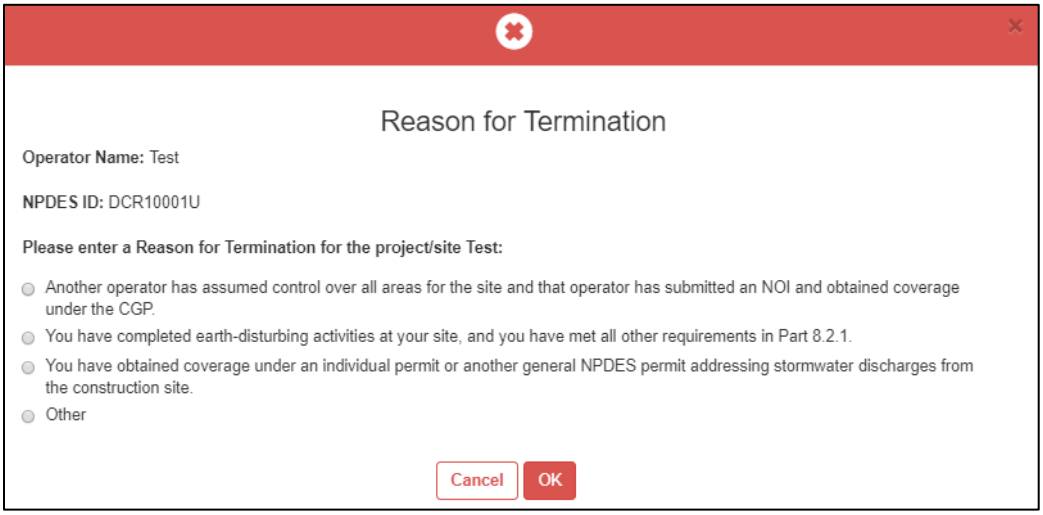
8.1.2 From the CGP Landing Page, view your form library. You may need to filter your list to find the NOI that needs to be terminated.

8.1.3 In the row with the NOI you wish to Terminate, click on the **Action** then **Create NOT (Terminate).**

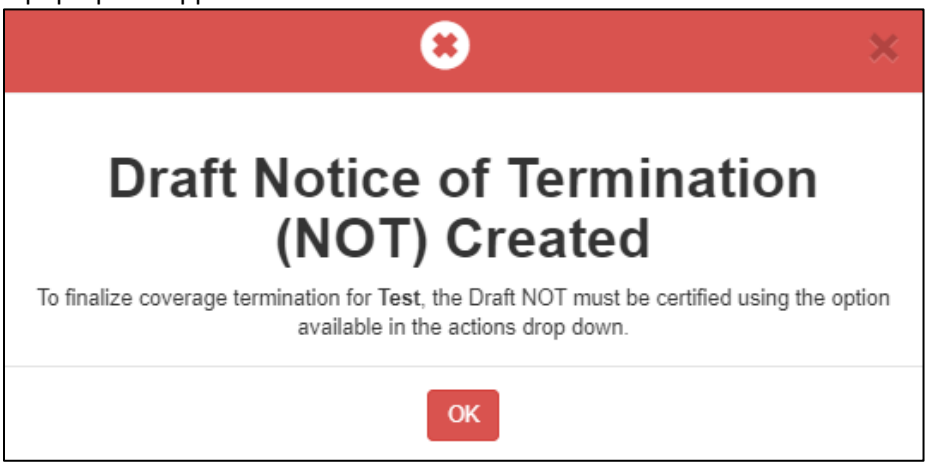


8.1.4 A confirmation pop-up will appear to choose the Reason for Termination. Select one of the radio buttons

that best fits your situation.

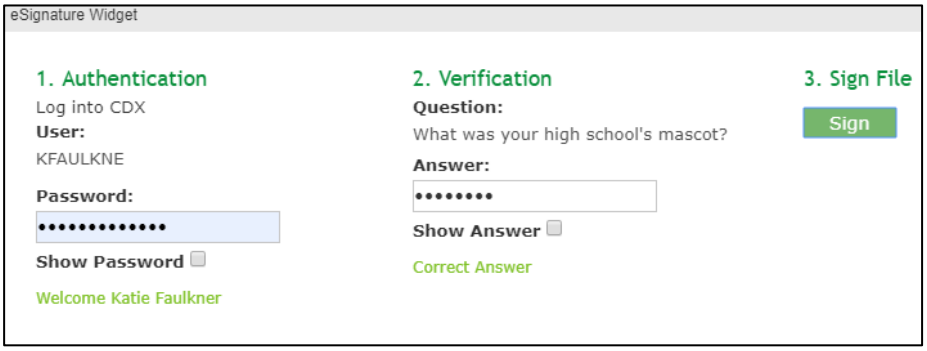


8.1.5 A pop-up will appear to confirm NOT creation. Click **OK.**



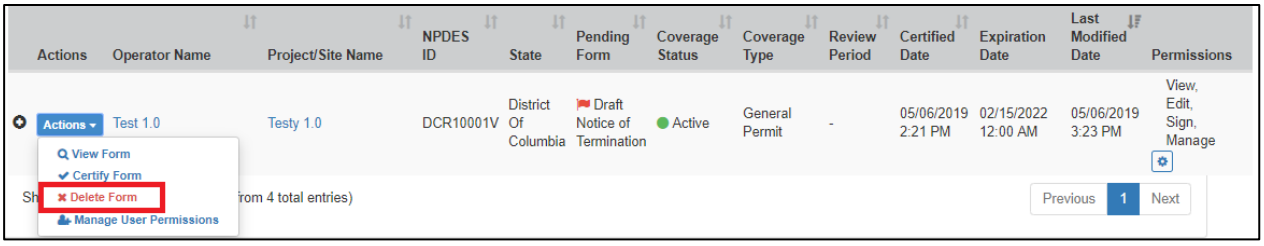
8.1.6 On the NeT CGP Landing Page the NOI will be flagged as a "Draft Notice of Termination." **<u>Signatory only</u>**: Select **Actions** then click **Certify Form.**

8.1.7 Enter you CDX password. Click **Login**. You will be prompted to provide an answer to one of the five signature question and click **Answer**. Certify the NOT by clicking **Sign**.

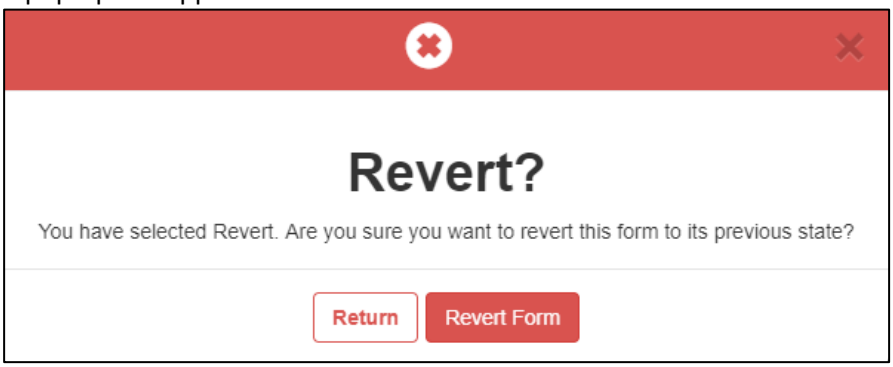


8.1.8 The form is now Terminated and can no longer be edited or changed.

8.1.9 If you wish to remove the Draft Notice of Termination, this can be done from the NeT CGP Landing Page. The NOI will have "Draft Notice of Termination" under the Pending Form column. Click **Actions** then **Delete Form**. NOTE – The delete form option will not delete the active NOI, only any pending form.



8.1.10 A pop-up will appear to confirm. Click **Revert Form**.

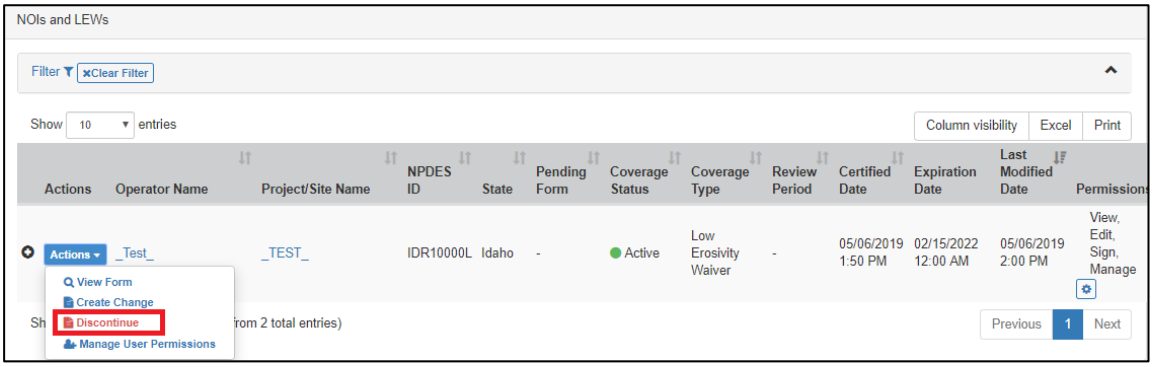


8.2 Discontinue LEW

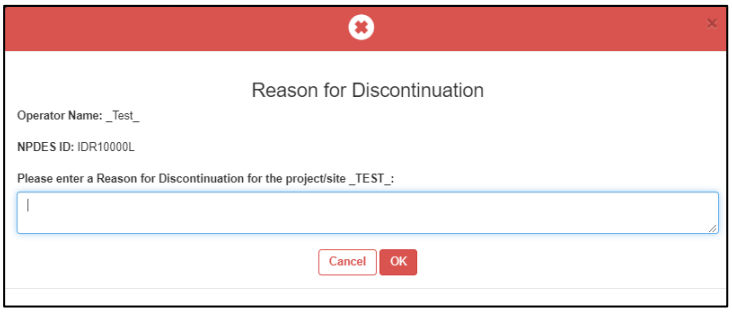
8.2.1 Log in to NeT CGP at https://npdes-ereporting.epa.gov/net-cgp and select your role for the NETCGP program service.

8.2.2 From the CGP Landing Page, view your form library. You may need to filter your list to find the LEW that needs to be discontinued.

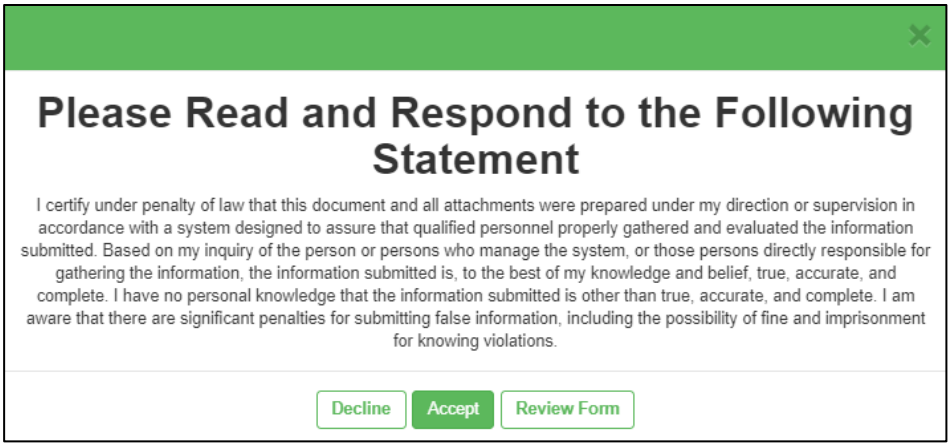
8.2.3 On the row with the LEW you wish to Discontinue, click **Actions** then **Discontinue**.



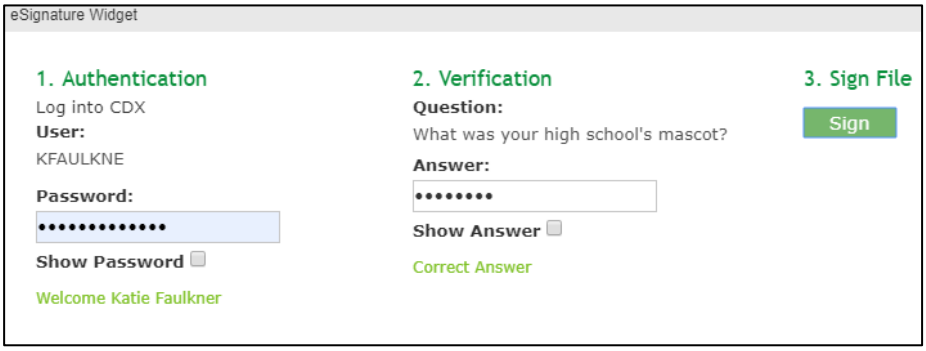
8.2.4 Enter Reason for Discontinuation of LEW and click **OK.**



8.2.5 **<u>Signatories only:</u>** Click **Accept** to continue to electronic signature.



8.2.6 Enter you CDX password. Click **Login**. You will be prompted to provide an answer to one of the five signature question and click **Answer**. Certify the NOT by clicking **Sign**.



8.2.7 The form is now discontinued and can no longer be edited or changed.

Appendix A: Help and Support

If you need further assistance understanding the CGP permit or your regulatory requirements, contact your Regional CGP Coordinator. A list is available on EPA's NeT CGP Support Portal at https://usepa.servicenowservices.com/oeca_icis?sys_kb_id=b17366f81babc510cb91a759bc4bcb9f&id=kb_article_view&sysparm_rank=22&sysparm_tsqueryId=1d4aaf081b0345108e946311f54bcb5e&spa=1.

If you need further assistance with the NeT CGP application (including data entry issues, submitting forms, navigation, etc.) please call EPA's NPDES eReporting Helpdesk at 1-877-227-8965 (toll-free) from 9:00 am – 8:00 pm Eastern time Monday through Friday, or send an email to NPDESeReporting@epa.gov.

If you need further assistance logging on to CDX (including password resets or user profile issues), please call CDX Support at 888-890-1995 (toll-free) or (970) 494-5500 for International callers (Monday – Friday). You may also visit the CDX help webpage at https://cdx.epa.gov/Help or send an email to CDX Technical Support at helpdesk@epacdx.net.

Appendix B: Authorization Status for EPA's Construction and Industrial Stormwater Programs

EPA has authorized many states to administer the NPDES stormwater permitting program, including for regulated construction and industrial stormwater discharges. EPA's 2022 Construction General Permit (CGP) applies only in the jurisdictions where EPA remains the permitting authority. Visit the website listed below to see the full list of CGP coverage areas.

https://www.epa.gov/npdes/authorization-status-epas-construction-and-industrial-stormwater-programs#undefined