NYS DEC's New Electronic Notice of Intent (eNOI) for Stormwater Discharges from Construction Activity

The New York State Department of Environmental Conservation (NYSDEC) is now allowing owners/operators of construction activities to electronically complete and file their Notice of Intent (eNOI) for coverage under the SPDES General Permit for Stormwater Associated with Construction Activity (CGP). NYSDEC will be accepting both paper and electronic submissions.

This system has been developed in advance of EPA rule making that proposes NPDES regulated entities electronically submit permit and compliance monitoring instead of paper reports. Once finalized, the EPA reporting rule will require Notices of Intent to discharge in compliance with a general permit to be filed electronically.

Owners/Operators are encouraged to begin using the eNOI to allow NYSDEC to optimize the program before it becomes mandatory.

eNOI Reference Guide		
eNOI Section	Paper NOI questions	
OWNER/OPERATOR	Page 1	
PROJECT DETAILS	2 THRU 20	
REQUIRED SWPPP COMPONENTS	21 thru 24 SWPPP Preparer Certification	
EROSION & SEDIMENT CONTROL CRITERIA	25 & 26	
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MS4 SWPPP ACCEPTANCE	42 THRU 43 MS4 SWPPP ACCEPTANCE FORM	

The eNOI contains the same questions as the paper version in a slightly different format. The eNOI breaks up the questions into smaller, manageable sections so that the form is easier to navigate. The eNOI Reference Guide provides a cross reference of the eNOI with the Paper NOI questions.

## eNOI Process

- Create an account on the NY.gov website (<a href="https://my.ny.gov/">https://my.ny.gov/</a>)
  - The "eNOI preparer" must first create an account.
  - "How to Set up an NY.gov account" instructions available on NYSDEC stormwater page [http://www.dec.ny.gov/pubs/95925.html]
- Log onto NYSDEC eBusiness Forms Portal using NY.gov account
  - Complete all applicable sections of eNOI.
  - Have the "Owner or Operator" sign "Owner/Operator Certification Form" so eNOI preparer can upload.
- DEC will review for completeness and either request additional information or deem complete and mail NOI Acknowledgement Letter.
- As always, coverage does not begin until you receive the acknowledgement letter.

These instructions will assist with navigation through the eNOI process. Information is provided on each of the steps to allow successful submission of the eNOI as well as what to expect in responses from NYSDEC.



The eNOI preparer must have an NY.gov account. The NY.gov account represents the preparer's electronic signature. If you already have an NY.gov account, you do not need to create a new account. However, if you forget your user name or password this is where you would go to find your username or reset your password.

Separate instructions for registering and activating an NY.gov account are available on the stormwater webpage:

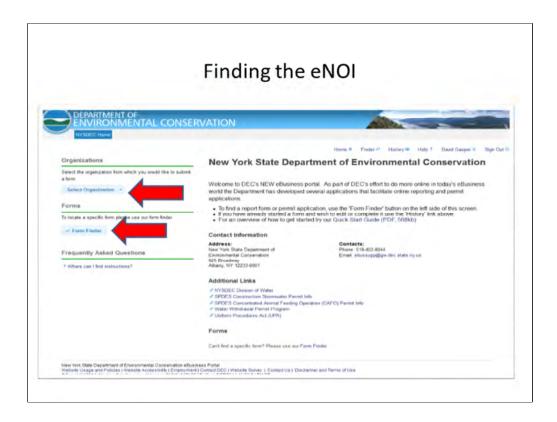
http://www.dec.ny.gov/chemical/43133.html.



To access the eNOI, go to the NYSDEC eBusiness Forms Portal. A link to this portal can be found on the NYSDEC stormwater webpage (<a href="http://www.dec.ny.gov/chemical/43133.html">http://www.dec.ny.gov/chemical/43133.html</a>). When you click on the "On-Line Forms Login" button, you will be directed to the NY.gov log in.



Log in using the user name and password for your NY.gov account. This will take you to the NYSDEC eBusiness main page.

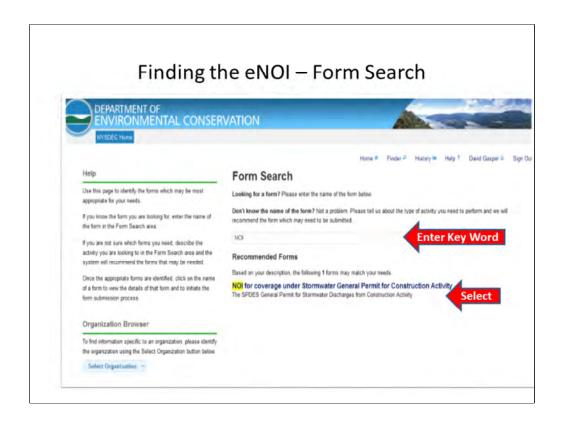


There are two methods for finding the form you need to complete on the NYSDEC eBusiness Forms Portal (http://www.dec.ny.gov/chemical/43133.html):

- 1. Select an Organization to navigate to the list of forms, and
- 2. Form Finder.

### **Select an Organization**

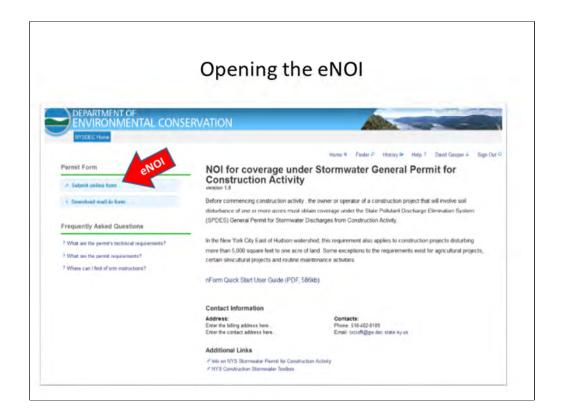
- 1. Click on the Select Organization button.
- 2. Mouse over the organization list and click on Division of Water (DOW).
- 3. After selecting DOW, the details for the division will be displayed as well as all forms related to DOW.
- 4. Choose "NOI for Coverage under Stormwater General Permit for Construction Activity".



### **Form Finder**

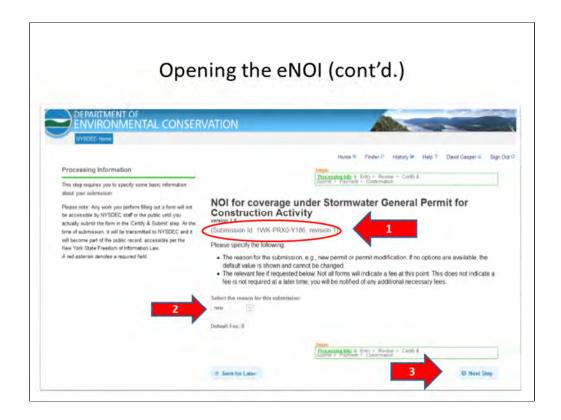
The Form Finder tool allows you to search for a specific keyword, e.g., NOI, construction, stormwater. Enter the key word to search. Then choose "NOI for Coverage under Stormwater General Permit for Construction Activity" from the list of recommended forms.

This will bring you to the eNOI main page.



Once you have found and clicked on the eNOI, the "NOI for coverage under Stormwater General Permit for Construction Activity" main page will appear. The main page provides information about the permit, links to frequently asked questions, contact information, and, in the top left of the page, buttons to either submit the form online, or to download a paper version to manually enter the data and mail to NYSDEC.

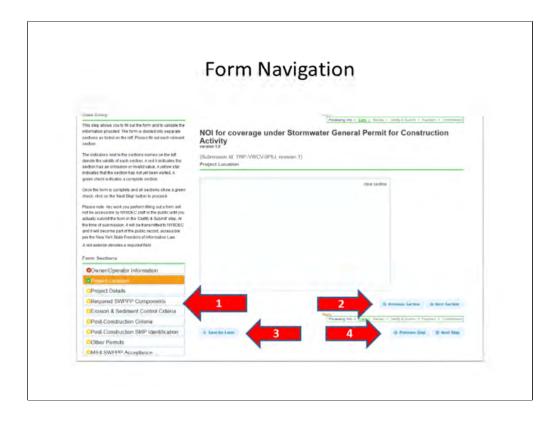
Click on the "Submit online form" button to access the eNOI.



When you click on the "Submit online form" button, an eNOI record will be created and a submission identification number will be assigned (Arrow 1).

Key Point/Important Reminders:

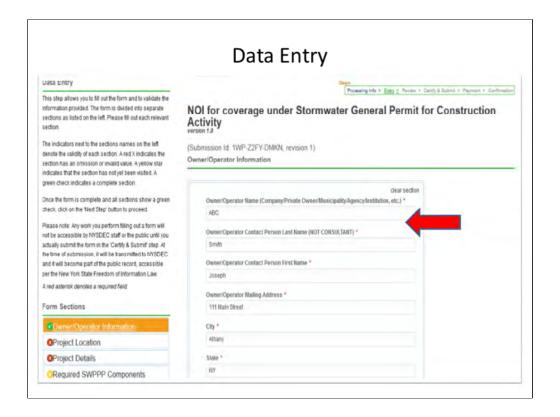
- 1. <u>Be sure to make a note of your Submission ID #.</u> This is the only way DEC can track your submission. If any changes are made to the data after the form is first submitted, the Submission ID # will remain the same.
- 2. Note: Reason for submission will always default to "new". This cannot be changed by the preparer.
- 3. Click "Next Step" to continue to the data entry pages.



There are certain key features that are used to navigate through the eNOI:

- 1. Form Sections: The eNOI has multiple sections so that the form is easier to navigate (see page 2 for eNOI Reference Guide for a cross reference of the eNOI with the Paper NOI questions). Each section is preceded by an icon that indicates the form status:
  - Yellow = This section has not been viewed
  - Red = All required data has not been entered in this section.
  - Green = This section has been visited and all required data has been entered.
- Previous/Next Section navigates the form sections. All sections must be viewed prior to form submission.
- 3. Save for Later can be used to save your data entries, leave the eNOI, and return at a later time to complete the form. Each submission can be saved at any time during the data entry stage to be continued or completed later.
- **4. Previous/Next Step** moves the user through the steps (Processing Info, Entry, Review, Certify & Submit, Payment\*\*, Confirmation) for completing and submitting the form. All form sections must be visited and all required data entered before you can move to the next step.

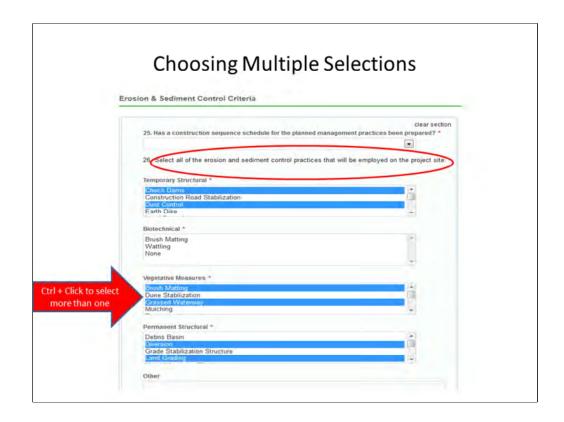
<sup>\*\*</sup>Note: Please note that some forms may include a payment step. However, with the eNOI, there are no fees associated with submitting the NOI. Projects will continue to be billed separately for the initial authorization and annual fees.



The questions on the eNOI are generally the same as on the current version of the paper NOI (see page 2 for eNOI reference guide). Answer all applicable questions, as indicated. The red asterisk indicates fields that are required to be completed for all projects. If all required fields are not completed, you will not be able to submit the form to NYSDEC.

Please note, that there are questions that are not required for all projects. Be careful to answer all questions applicable to your project to avoid having the NOI returned as incomplete and delays in obtaining coverage.

While most of the questions on the eNOI are self explanatory, there are some unique features associated with the eNOI that will be discussed further.



The NOI has several questions that may require you to identify more than one selection. For example:

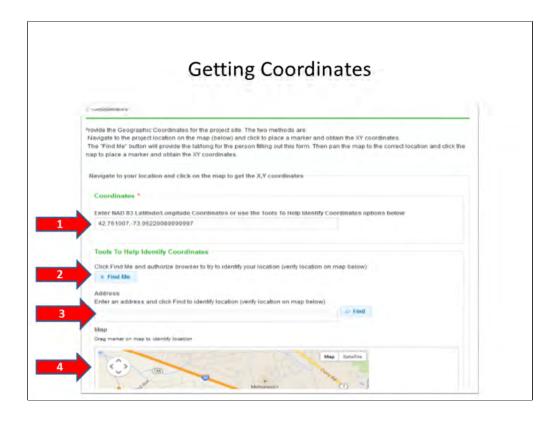
Questions 9a and 9b in the Project Details Section requires you to identify the type of water bodies to which the project will discharge;

Question 26 in the Erosion and Sediment Control Criteria Section requires you to select all erosion and sediment control practices that will be employed;

Question 27 in the Post-Construction Criteria Section requires you to identify all site planning practices that were used; and

Question 40 in the Other Permits Section requires you to identify all other DEC permits, existing and new, that are required for the project.

To choose multiple selections in a field, control + click on each selection.



The eNOI provides four methods for obtaining the coordinates for your project site:

- 1. Directly enter the Latitude/Longitude Coordinates. **Note: The paper NOI requested** information to be entered using UTM. The eNOI requires coordinates to be entered using decimal degrees.
- 2. The "Find Me" button will provide the lat/long for the person filling out this form. Then pan the map to the correct location and click the map to place a marker and obtain the XY coordinates; or,
- 3. Enter the address of the project and click find. This function will only work for legally recognized addresses; or
- 4. Navigate to the project location on the map and click to place a marker and obtain the XY coordinates.

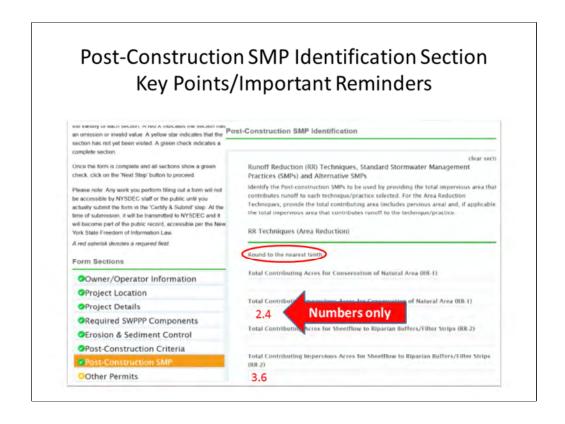
SWPP	P Preparer Certification Form	n 🦱
	General Permit For Stormwater Discharges om Construction Activity(GP-0-10-001)	Joseph Martens Commissioner
Project/Site Nam	nic -	
Owner/Operator	Information	
Owner/Operator	r(Company Name/Private Owner Name/Municipality Name)	

In order to be complete, the NOI must include a signed certification by the SWPPP preparer. The "SWPPP Preparer Certification" certifies that a SWPPP has been developed for the specific project and has been prepared in accordance with the terms and conditions of GP-0-10-001. This requires a separate certification for each project.

Since the eNOI only allows for one electronic signature, the eNOI will require that you attach a scanned version of the "SWPPP Preparer Certification." This certification can be down loaded from the eNOI in the "Required SWPPP Components" Section(see next page) or from the construction stormwater webpage under Forms: <a href="http://www.dec.ny.gov/chemical/43133.html">http://www.dec.ny.gov/chemical/43133.html</a>. The certification must be completed, printed and signed and then saved electronically for upload to the form.



Upload the signed "SWPPP Preparer Certification" using the "Select Attachment" button.



Please note, that not all projects require post construction practices. Therefore, these questions are not marked as required. However, if your project requires post construction practices, please make sure you answer all questions in the Sections titled "Post-Construction Criteria" & "Post-Construction SMP Identification Sections". Failure to complete these questions for projects that require post construction controls will result in the NOI being returned as incomplete and may result in delays in obtaining coverage.

The Post-construction SMP contains the same information contained in Tables 1 & 2 of the paper NOI form. Identify the Post-construction SMPs to be used by providing the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice. Provide area in acres and round to the nearest tenth.



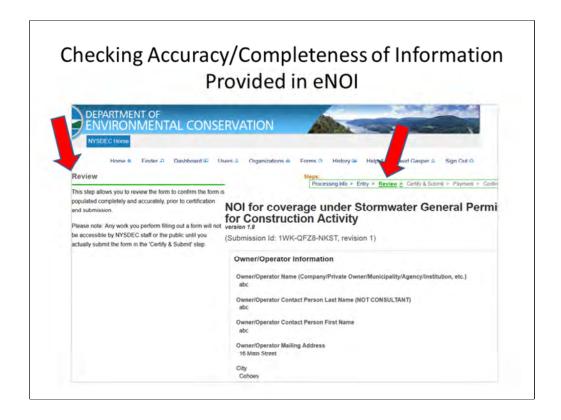
If the project is subject to the requirements of a regulated, traditional land use control MS4, you must attach a completed MS4 Acceptance Form that has been signed by the principal executive officer or ranking elected official from the regulated, traditional land use control MS4.

Since the eNOI can only accept one electronic signature, the eNOI will require you to attach a scanned version of the completed & signed MS4 certification. This certification can be down loaded directly from the eNOI (see next page) or from the construction stormwater webpage under Forms: <a href="http://www.dec.ny.gov/chemical/43133.html">http://www.dec.ny.gov/chemical/43133.html</a>. The certification must be completed, printed and signed and then saved electronically for upload to the form.

Key Points	/Important Peminders
and wanters of the co. Inc. also A. and A. followers that decision rate.	/Important Reminders  description At the subject to the requirements of a regulated, traditional land use control MS47 *  If No. skip question 44  44. Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI?
Form Sections	MS4 Acceptance Form Download
OWner/Operator Information Project Location Project Details Required SWPPP Components Erosion & Sediment Control	Download form from the link below, symplete, sign, and upload.  MS4 SWPPP Acceptance Form  MS4 Acceptance Form Upload *  Please be aware that files ever thing 10 MB in size are not recommended.  Upload completed form
OPost-Construction Criteria	Select and upload the signer MS4 acceptance form.
Post-Construction SMP	Comment:
Other Permits	

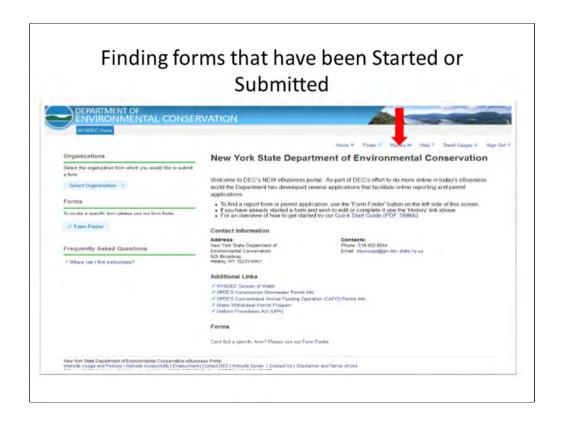
The eNOI will allow you to attach a scanned version of the completed & signed certification. This certification can be down loaded directly from the eNOI or from the construction stormwater webpage under Forms:

http://www.dec.ny.gov/chemical/43133.html

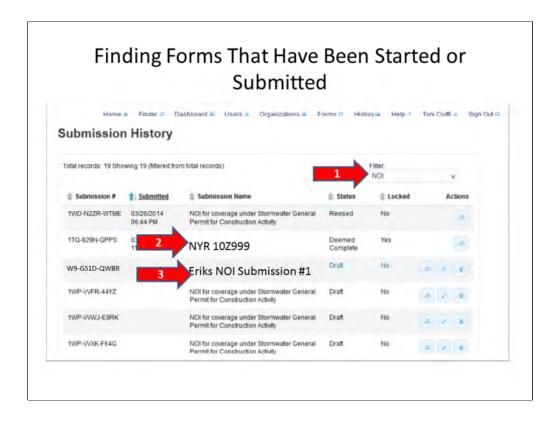


Once all data has been entered and all sections are complete, you may move to the Review Step. This step provides the user a chance to review the information that was entered prior to submission of the form. All of the form questions and answers will be displayed on this screen.

If the eNOI is determined to be complete, you may move to the "Certify & Submit" step, read the certification statement and submit the form. Clicking the submit button is deemed the equivalent of signing a paper copy of the form. In the future, EPA requirements for electronic reporting may require a more involved certification process that includes re-entering the user password and correctly answering a predefined challenge question.



If an NOI was saved for later, you may access the submission by using the "History" link at the NYSDEC eBusiness Portal (<a href="http://www.dec.ny.gov/chemical/43133.html">http://www.dec.ny.gov/chemical/43133.html</a>). This will provide access to the "Submission History" page that will display all of the forms that the user has access to, and their status.



The "Submission History" page can be filtered to narrow down the number of records (see Arrow 1). You can filter on keywords, dates or submission numbers listed in the table.

Below are some key things that will help identify/locate the submission:

**Submission #** is the unique identification number that was assigned to the eNOI when it was created.

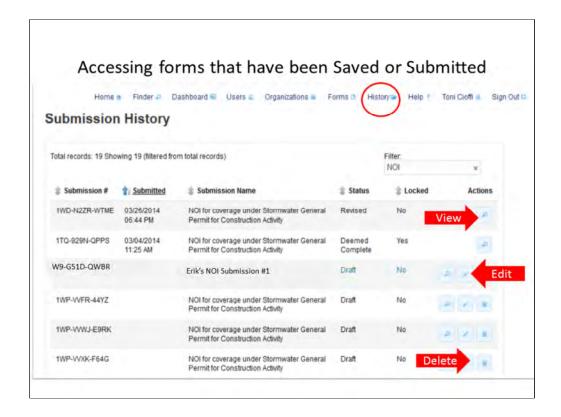
**Submitted** – the date shown is the date the form was submitted to DEC. DEC cannot see forms prior to submission.

**Submission Name** - Each entry in the History table is given a default Submission Name that is the same as the form name. This name can be edited in order to provide a more meaningful name to the submission (e.g. Erik's NOI Submission #1)( Arrow 3). To rename the submission, click on the Submission Name, which will make the name ready to edit, and enter the new name. For projects that receive permit coverage, it is recommended that the permit number be saved as part of the submission name in the event that the NOI needs to be revised once permit coverage is granted (Arrow 3).

### **Submission Status**

"Draft" = form has been started by not yet submitted. DEC cannot see these forms "Submitted" = Form has been submitted to DEC for review but DEC has not deemed it complete.

"Deemed complete" = DEC has reviewed the form and has deemed it complete "Revised" = Form was previously submitted to DEC but has been revised from the original submission.



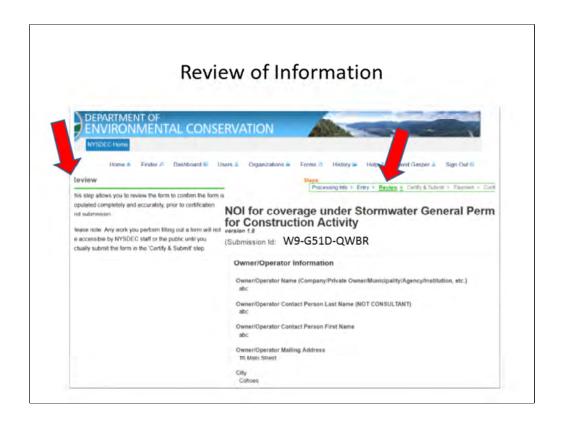
There are three possible actions that can be performed to an existing form from the "Submission History" page:

- ➤ View can always be performed, regardless of the form status. This displays all of the form questions and responses, but does not allow data to be modified. In the View Form mode, users can also print or download the submission and perform post-submission actions (as described on page 32).
- ➤ Edit Forms can only be edited before they are submitted. This is not to be confused with revising a submission, which will be covered later in this document. This command is used to continue working on a saved form. Data already entered in the form can also be changed or deleted.
- ➤ Delete Forms can only be deleted before they are submitted. Once submitted, a form's data becomes a permanent record. *Once deleted, recovery is not possible.*

In order to review, certify and submit the NOI, the owner/operator must select the edit button.



By clicking on the "View" icon on the Submission History page, users can print, download, copy, open in a new window and manage access to eNOIs that have not been submitted as well as perform post-submission actions (as described on page 32)



Once the form is located and selected from the Submission History list, the eNOI preparer should go to the "Review" step to view the information and make any corrections necessary so that it is accurate and complete.

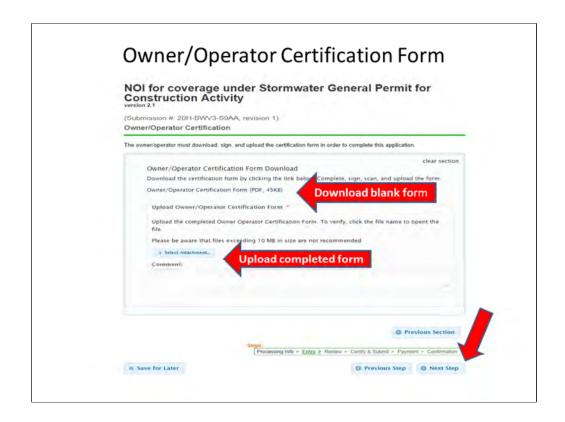


Once the form has been reviewed and determined to be complete and accurate, click the "Next Step" button to move to the Owner/Operator certification statement page.

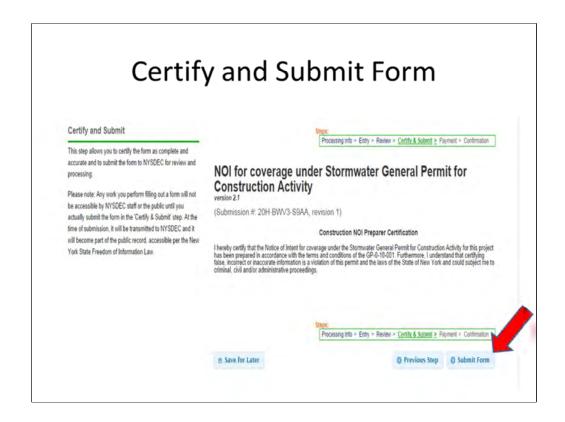
Owner/Operator Certification Form
Owner/Operator Certification Form
SPDES General Permit For Stormwater Discharges From Construction Activity (GP-0-10-001)  Joseph Martens Commissioner
Project/Site Name:
eNOI Submission Number:
eNOI Submitted by: Owner/Operator SWPPP Preparer Other
Certification Statement - Owner/Operator

In order to be complete, the eNOI must include a completed and signed Owner/Operator Certification Form. This form can be downloaded directly from the eNOI (see next page) or from the construction stormwater webpage under Forms: <a href="http://www.dec.ny.gov/chemical/43133.html">http://www.dec.ny.gov/chemical/43133.html</a>.

The eNOI preparer must have the Owner/Operator complete and sign this form and then return to them for uploading on the eNOI.



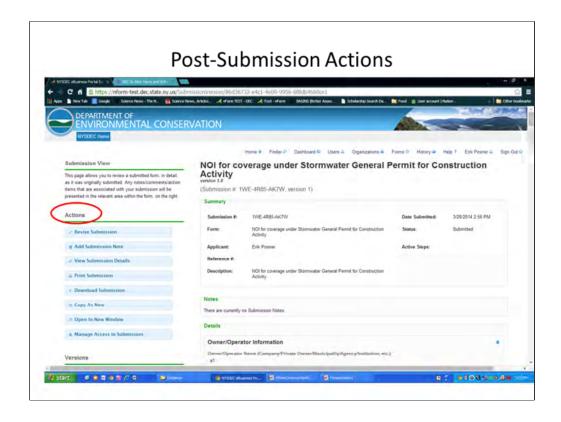
The eNOI preparer must attach a scanned version of the completed and signed Owner/Operator certification form. Once the Owner/Operator Certification Form has been uploaded, click the "Next Step" button to move to the eNOI Preparer certification statement page.



The eNOI preparer should read the certification statement and click on the "Submit Form" button. This will forward the eNOI to the NYSDEC for review and processing. Clicking the submit button is deemed the equivalent of signing a paper copy of the form. In the future, EPA requirements for electronic reporting may require a more involved certification process that includes re-entering the user password and correctly answering a predefined challenge question.

# Email Response on Successful eNOI Submission Hello Carol Lamb-LaFay, You have successfully submitted your NOI for coverage under Stormwater General Permit for Construction Activity. Your reference number for this submission is 1WE-GY6G-RV08. At any time, you can review the status of this submission by logging into the e-Permitting system and clicking on the History link at the top of the form. From this form, you can also review the details of this submission. Please note that some forms will not be reviewed or processed by NYSDEC staff until all required processing fees are received by NYSDEC. Thank you. New York State Department of Environmental Conservation NYSDEC education of the status of this submission.

The eNOI preparer will receive an email response from the eBusiness Portal indicating that the NOI was successfully submitted to NYSDEC. Submission of the eNOI to the department does not mean the project has received approval to begin construction. NYSDEC will review the submission and either deem it complete or e-mail the owner and SWPPP preparer if additional information is needed. NOIs that are deemed complete will be mailed a hard copy of the NOI Acknowledgement letter that provides the permit number and date that coverage will begin. Please be advised that you cannot commence construction until you have received and complied with the conditions in your letter of acknowledgement.



Once a completed form has been submitted, its data is encrypted and stored in a secure system. The submission can no longer be deleted. There are several additional actions that users can perform after the form submission by clicking on the "View" icon of the eNOI on the Submission History Page:

**Revise Submission** – Each submission has a revision number, which starts at 1 for the initial version. If changes need to be made to the submitted form, the "*Revise Submission*" button is clicked and a new revision of the form becomes active and the user is able to change any information within it. Each new revision must be submitted when complete, and the new data will replace that of earlier revisions. **Print Submission** – A copy of the submitted form can be printed.

**Download Submission** – The submitted form can be downloaded in PDF format and saved.

**Copy as New** – A previously submitted form can be copied and used as a template for a new submission. This will create a copy of the form with of its data and a new, unique submission ID. This new copy can be modified and used as a new submission, and can be particularly useful when submitting a report on a regular basis (e.g. Annual reports).

**Open In New Window** – Opens a second copy of the form in a new window. Useful when you want to compare two copies of a submission.

Manage Access to Submission - If more than one user needs to be able to view or edit the form, additional registered users can be granted access by clicking the "Manage Access to Submission" button on the left side of the page. The next screen will display a box to enter the email address of the person to whom access will be granted. This user must currently be a registered user of the nForm system. Below this is a list of all users with access to the form.

# Questions/Assistance

- Toni Cioffi
  - 518-402-8109
  - toni.Cioffi@dec.ny.gov
- Dave Gasper
  - 518-402-8114
  - david.gasper@dec.ny.gov