

HAWAII DEPARTMENT OF HEALTH EPERMITTING PORTAL APPLICATION FORMS INSTRUCTIONS FOR ELECTRONIC SIGNATURE

ABOUT CROMERR/EHA ELECTRONIC SIGNATURE

The Department of Health, Environmental Health Administration (EHA) ePermitting Portal received Cross-Media Electronic Reporting Rule (CROMERR) certification by the Environmental Protection Agency (EPA) for Electronic Signature. This allows applicants to submit electronically through the EHA ePermitting Portal without the need to physically send in an ink signature and a CD/DVD. EHA Electronic Signature Forms may only be submitted by an account with Electronic Signature rights. For more information on CROMERR, please visit <https://www.epa.gov/cromerr>.

STEP 1 – ONE TIME REGISTRATION

Application Preparer: Anyone with a registered ePermitting Portal account can be the **Application Preparer**. To register, please visit <https://eha-cloud.doh.hawaii.gov/epermit> and click on REGISTRATION. To activate your account, please check your email for your registration confirmation and click on the link within the email.

Application Submitter: In addition to registering for an ePermitting Portal account as outlined above, the **Application Submitter** must have Electronic Signature rights within the ePermitting Portal. For NPDES forms, the Application Submitter must also be authorized to submit information for NPDES forms – see below for more details. To apply for Electronic Signature rights, the Application Submitter must download the form from the ePermitting Portal (click on the Form Finder button and type “Electronic Subscriber Agreement”) and mail the completed, notarized Electronic Subscriber Agreement form to the EHA. Approval/denial for Electronic Signature rights will be sent by email.


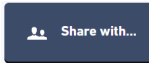
Upon receipt of approval for Electronic Signature rights, the Application Submitter should log into the ePermitting Portal and set up Security Questions by clicking on the account name in top navigation bar and then clicking on Manage Identifying Questions and Answers. You will need to select 5 questions and provide an answer for each. Please remember your selections and responses. When you submit forms, you will be asked one or more of these questions and your responses must match in order to prove your identity and complete the submission.

STEP 2 – PREPARE FORM

- Log into the ePermitting Portal located at: <https://eha-cloud.doh.hawaii.gov/epermit>.
- Click on Form Finder button, search for the applicable form “e.g. Electronic Signature CWB NOI Form”, click on form link, read the instructions, and click on Begin Form Entry button.
- Once you have completed review of all sections, you will be presented with a certification statement. Click on the SAVE PROGRESS button. You will not be able to continue unless you are the Application Submitter.

STEP 3 – SHARE FORM FOR ELECTRONIC SIGNATURE

**** Skip this step if the Application Preparer and Application Submitter is the same person. ****

- Press HISTORY in the top menu to bring up your submissions list. Look for your submission and press the View button 
- In the Access menu on the bottom right of your screen, press Share with..... button. 
- Share your submission with your Application Submitter and project team.
- Check off the Can Manage Access to Submission? button to allow your Application Submitter to submit.
- Notify the Application Submitter that your application is ready to be submitted.

ADDITIONAL REQUIREMENTS FOR APPLICATION SUBMITTER OF NPDES FORMS

For DOH, Clean Water Branch (CWB) NPDES forms, including Notice of Intent (NOI) forms:

- The Application Submitter for the initial NPDES Individual Permit or NOI must be the Certifying Person defined in HAR 11-55-07(a). When submitting these forms, the Application Submitter will be certifying under penalty of law that they meet HAR 11-55-07(a) qualifications and will be held responsible for the information provided to the DOH-CWB and complying with all permit conditions.
- The Application Submitter for all other submittals must be the Certifying Person defined in HAR 11-55-07(a) or the Authorized Representative defined in HAR 11-55-07(b). Only the Certifying Person can designate an Authorized Representative, revise the Authorized Representative information, submit an Owner name change and Notice of Cessation.

HAR 11-55-07(a):

Any NPDES form and its certification, as stated in 40 CFR §122.22(d), submitted to the director shall be signed as follows:

1. For a corporation. By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
 - a. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or
 - b. The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
2. For a partnership or sole proprietorship. By a general partner or the proprietor, respectively; or
3. For a municipality, state, federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:
 - a. The chief executive officer of the agency, or
 - b. A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrators of EPA);
4. For a trust. By a trustee; or
5. For a limited liability company (LLC). By a manager or a member authorized to make management decisions for the LLC and who is in charge of a principal business function, or who performs similar policy- or decision-making functions for the LLC.

HAR 11-55-07(b):

All other reports or information required to complete the application or information to comply with the conditions of the individual permit or notice of general permit coverage or responses to requests for information required by the director shall be signed by a person designated in subsection (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, superintendent, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.);
2. The authorization is made in writing by a person designated under subsection (a); and The written authorization is submitted to the director.