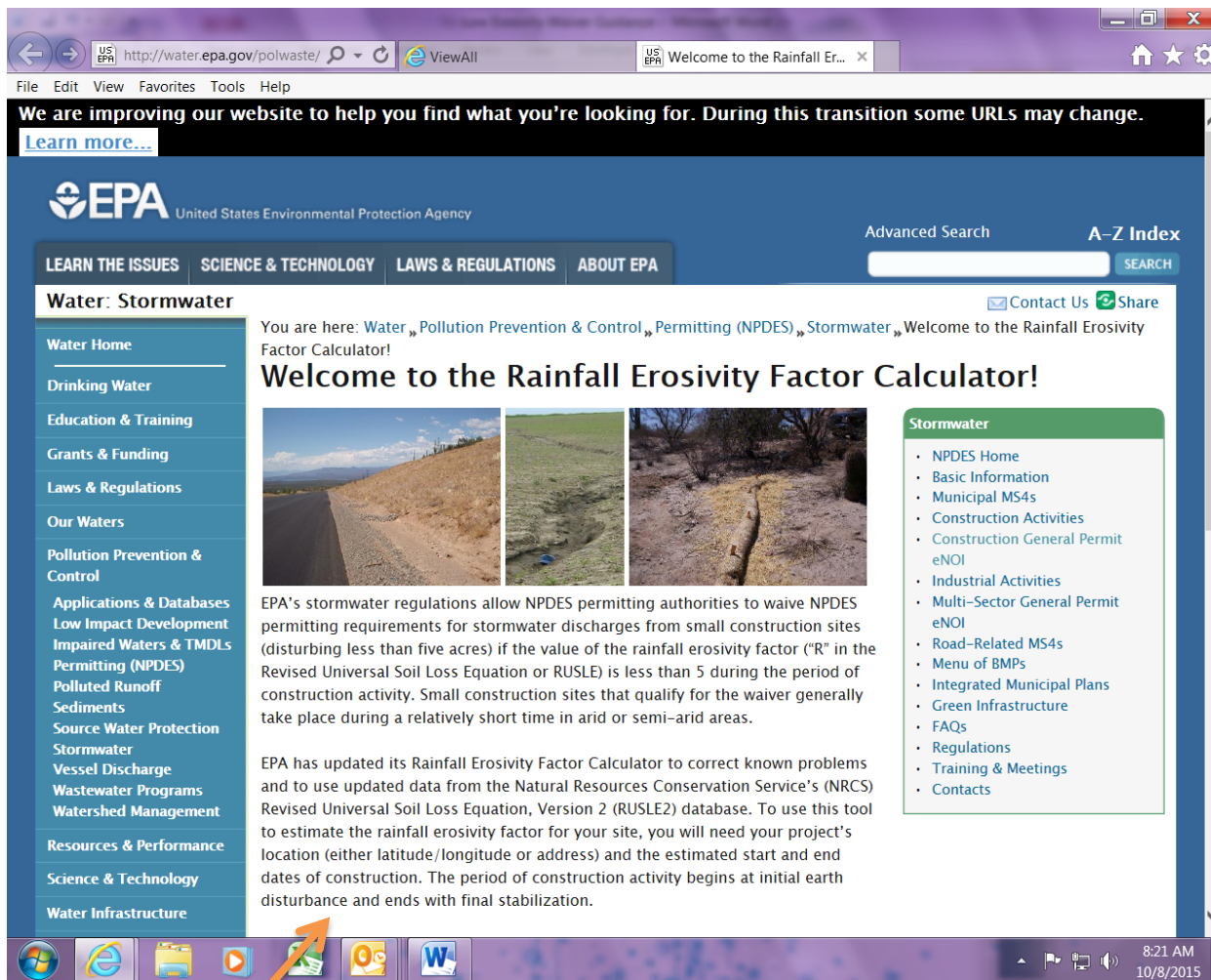


Low Erosivity Waiver Guidance



The above web page has the following information with all the links identified in the text below:

EPAs stormwater regulations allow NPDES permitting authorities to waive NPDES permitting requirements for stormwater discharges from small construction sites (disturbing less than five acres) if the value of the rainfall erosivity factor (“R” in the Revised Universal Soil Loss Equation or RUSLE) is less than 5 during the period of construction activity. Small construction sites that qualify for the waiver generally take place during a relatively short time in arid or semi-arid areas.

EPA has updated its Rainfall Erosivity Factor Calculator to correct known problems and to use updated data from the Natural Resources Conservation Service’s (NRCS) Revised Universal Soil Loss Equation, Version 2 (RUSLE2) database. To use this tool to estimate the rainfall erosivity factor for your site, you will need your project’s location (either latitude/longitude or address) and the estimated start and end dates of construction. The period of construction activity begins at initial earth disturbance and ends with final stabilization.

If your small construction project is located in an area where [EPA is the permitting authority](#) and your R factor is less than 5, you qualify for a waiver from NPDES stormwater permitting and you may submit a waiver certification using the [electronic Notice of Intent \(eNOI\) system](#). Several states that are authorized to

implement the NPDES permitting program also accept low erosivity waivers. Check with your state NPDES permitting authority for more information.

If your small construction project does not qualify for a waiver, then NPDES stormwater permit coverage is required.

For more information, please see the [Construction Rainfall Erosivity Waiver Fact Sheet](#) (12 pp, 2.5MB, [About PDF](#)) and [Appendix C](#) (4 pp, 87K, [About PDF](#)) of the 2012 CGP. For questions or comments, e-mail cgp@epa.gov.

[Start Calculator](#)



Construction General Permit Notice of Intent

The screenshot shows the EPA website interface. At the top, there's a navigation bar with 'LEARN THE ISSUES', 'SCIENCE & TECHNOLOGY', 'LAWS & REGULATIONS', and 'ABOUT EPA'. Below this is a search bar and a 'SEARCH' button. The main content area is titled 'Water: Stormwater' and features a sidebar with various water-related topics. The central text area contains the following information:

Important eNOI Registration Information:

To submit a Notice of Intent (NOI) or Notice of Termination (NOT) under the 2012 CGP or to submit a Low Erosivity Waiver (LEW) form:

The electronic application for obtaining coverage under the 2012 Construction General Permit (CGP) and under the Low Erosivity Waiver (LEW) is accessed through a new program in EPA's Central Data Exchange (CDX), which you must add to your CDX account profile. **Note: the "SWENOI" program in CDX that was used for filing 2008 CGP NOIs and LEWs has been disabled for the CGP, and can only be used to obtain MSGP coverage.**

- For NOI applicants with existing CDX accounts, [click here for registration instructions](#) (5 pp, 350K, [About PDF](#)).
- For NOI applicants without existing CDX accounts, [click here for registration instructions](#) (4 pp, 236K, [About PDF](#)).

At the bottom of the page, there is a large 'eNOI' logo. An orange arrow points from the text below to the highlighted registration information section.

The above web page has the following information with all the links identified in the text below:

Important eNOI Registration Information:

To submit a Notice of Intent (NOI) or Notice of Termination (NOT) under the 2012 CGP or to submit a Low Erosivity Waiver (LEW) form:

The electronic application for obtaining coverage under the 2012 Construction General Permit (CGP) and under the Low Erosivity Waiver (LEW) is accessed through a new program in EPA's Central Data Exchange (CDX), which you must add to your CDX account profile. **Note: the "SWENOI" program in CDX that was used for filing 2008 CGP NOIs and LEWs has been disabled for the CGP, and can only be used to obtain MSGP coverage.**

- For NOI applicants with existing CDX accounts, [click here for registration instructions](#) (5 pp, 350K, [About PDF](#)).

For NOI applicants without existing CDX accounts, [click here for registration instructions](#) (4 pp, 236K, [About PDF](#)).

EPA has updated and improved the electronic Notice of Intent (eNOI) system for construction sites that need to [apply for coverage under EPA's 2012 Construction General Permit \(CGP\)](#) or that need to submit a [Low Erosivity Waiver \(LEW\) form](#). The eNOI system is a free online service. Please click the eNOI logo to start to file an electronic Notice of Intent or LEW waiver.

Applying for Coverage through the eNOI System

You are required to use the eNOI system to prepare and submit your NOI for coverage under the 2012 CGP. If you have a problem with the use of the eNOI system, contact the [EPA Regional Office](#) that corresponds to the location of your site. If you are given approval by the EPA Regional Office to use a paper NOI, and you elect to use it, you must complete the paper NOI form in [Appendix J](#) (8 pp, 320K, [About PDF](#)).

Note:

You may only submit an NOI for coverage under the 2012 CGP if your construction site is located in an area in which EPA is the permitting authority, which includes:

- Idaho, Massachusetts, New Hampshire, New Mexico, District of Columbia
- American Samoa, Guam, Johnston Atoll, Midway and Wake Islands, North Mariana Islands, Puerto Rico
- Indian country lands within Alaska, Arizona, California, Colorado, Connecticut, Idaho, Iowa, Kansas, Louisiana, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Texas, Utah, Vermont, Washington, Wisconsin, Wyoming
- Areas within Colorado, Delaware, Vermont, Washington subject to construction by Federal Operators
- Limited areas of Oklahoma and Texas

See [Appendix B](#) (5 pp, 95K, [About PDF](#)) for a complete list of permit areas eligible for coverage.

Deadlines for Submitting Your NOI

You must submit your NOI according to the following deadlines, depending on the type of project:

Type of Construction Project	Deadlines for Operators to Submit NOI	Official Start Date for Permit Coverage
New project	You must submit your NOI at least 14 calendar days prior to commencing earth-disturbing activities.	You are considered covered under this permit 14 calendar days after EPA has acknowledged receipt of your NOI on the Agency's website (www.epa.gov/npdes/stormwater/cgpnosearch), unless EPA notifies you that your authorization has been delayed or denied.
Existing project	Immediately.	You are considered covered under this permit 14 calendar days after EPA has acknowledged receipt of your NOI on the Agency's website (www.epa.gov/npdes/stormwater/cgpnosearch), unless EPA notifies you that your authorization has been delayed or denied.
New operator of a new or existing project	You must submit your NOI at least 14 calendar days before the date the transfer to the new operator will take place.	You are considered covered under this permit 14 calendar days after EPA has acknowledged receipt of your NOI on the Agency's website (www.epa.gov/npdes/stormwater/cgpnosearch), unless EPA notifies you that your authorization has been delayed or denied.
Emergency-related projects	No later than 30 days after construction commencement.	You are considered provisionally covered under the terms and conditions of this permit immediately, and fully covered 14 calendar days after EPA has acknowledged receipt of your NOI, unless EPA notifies you that your authorization has been delayed or denied.

Terminating Coverage through the eNOI System

You are required to use the eNOI system to prepare and submit your Notice of Termination (NOT) under the 2012 CGP. If you have a problem with the use of the eNOI system, contact the [EPA Regional Office](#) that corresponds to the location of your site. If you are given approval by the EPA Regional Office to use a paper NOT, and you elect to use it, you must complete the paper NOT form in [Appendix K](#) (4 pp, 194K, [About PDF](#)).

Submitting an LEW Waiver Form through the eNOI System

You can use the eNOI system to prepare and submit your LEW form. To determine your eligibility for an LEW, visit: www.epa.gov/npdes/stormwater/lew.

eNOI Training

- [Tutorial for using the eNOI system to submit 2012 CGP NOIs \(PDF\)](#) (25 pp, 2.5MB, [About PDF](#)) “ Step-by-step instructions for submitting NOI’s for EPA’s 2012 CGP using Central Data Exchange (CDX).
- [Tutorial for the using the eNOI system to submit LEW forms \(PDF\)](#) (18 pp, 4MB, [About PDF](#)) “ Step-by-step instructions for submitting LEW forms using Central Data Exchange (CDX).
- [Short Fact Sheet on Submitting Applications via EPA’s CGP eNOI System \(PDF\)](#) (2 pp, 140K, [About PDF](#)) “ Brief and instructions for submitting NOI’s for EPA’s 2012 CGP using Central Data Exchange (CDX).
- [Short Fact Sheet on Submitting LEW Forms via EPA's eNOI System \(PDF\)](#) (2 pp, 149K, [About PDF](#)) “ Brief instructions for certifying officials to certifying a EPA Low Erosivity Waiver (LEW) via the eNOI system using Central Data Exchange (CDX).

eNOI Search

- To view NOIs or NOTs submitted under the 2012 CGP or LEWs submitted on or after September 10, 2013, go to www.epa.gov/npdes/stormwater/cgpnoisearch
- For NOIs or NOTs submitted under the 2008 CGP or LEWs submitted before September 10, 2013, go to www.epa.gov/npdes/stormwater/noi/noisearch

Contact Information

Contact By Phone	
CDX Registration	<u>Domestic Callers (888) 890-1995</u> 8:00 a.m. “ 6:00 p.m. (EST)
	<u>Puerto Rico and Guam (970) 494-5500</u>
eNOI System	<u>Domestic Callers (866) 352-7755</u> 8:00 a.m. “ 5:00 p.m. (EST)
	<u>International Callers 011 (970) 494-5500</u> 1:00 p.m. “ 11:00 p.m. (GMT)
Contact By Fax	
CDX Registration	(703) 227-4199 24 hours a day <u>Support Personnel Available to Respond</u> Monday “ Friday 8:00 a.m. “ 6:00 p.m. (EST)
Contact Online	
CDX Registration	CDX FAQs: https://cdx.epa.gov/SSL/cdx/FAQ.asp
	E-mail: (Send e-mail with “Technical Support” in the Subject line.) helpdesk@epacdx.net (helpdesk@epacdx.net)
eNOI System	E-mail: noi@avantcorporation.com (noi@avantcorporation.com)
Construction General Permit (CGP)	E-mail: CGP@epa.gov (CGP@epa.gov)
	EPA Regional Representative – Click here to see the contact information for your EPA regional representative.

