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DEP USE ONLY



## Oil and Gas Operator Electronic Filing Administrator (EFA) Registration and Security Agreement for Oil and Gas Electronic Filing Systems

Updated 01/19/2017

<b>Oil and Gas Operator (Primary Reporting Entity)</b>
Name of Oil and Gas Operator:
Operator Number (OGO#):
Mailing Address of Operator:
City, State, Zip Code:
Sponsoring Corporation Telephone Number:

<b>Electronic Filing Administrator (EFA) Information for Operator</b>
EFA Full Name:
Title:
Professional License Number (If applicable):
Name of EFA's Company/Division:
Physical Address of EFA:
City, State, Zip Code:
EFA Business Telephone Number:
EFA Cellular Telephone Number:
GreenPort Username:
GreenPort Email Address:
Operator's Business website:

Pending approval by DEP, the individual identified on this form will be allowed to administer user access and also make electronic submissions on behalf of the listed Oil and Gas Operator. This registration form applies to all online DEP Oil and Gas Electronic Filing Systems.

### Security Agreement for Oil and Gas Operator and EFA:

- For purposes of this Security Agreement, the use of the terms "you" and "your" includes both the Oil and Gas Operator and the EFA when appropriate.
- Your access to the Department of Environmental Protection's (DEP) Oil and Gas Electronic Filing Systems is a privilege and not a right. Access for your employees, agents or assigns to engage in electronic reporting is at the sole discretion of DEP and may be terminated at any time and without notice even over your objections.
- Access to the DEP Oil and Gas Electronic Filing Systems, for purposes of this agreement alone, is limited to the time that an individual is either a) your employee or b) an

independent contractor, agent or assign working on your behalf pursuant to your contract with DEP. The EFA and Users must be required to submit data to DEP as an essential duty pursuant to their designation under either 2(a) or 2(b) of this Security Agreement.

- You are ultimately responsible for the security repercussions of the Users approved by you, the decisions and actions of your EFA and the use by Users of their user name and password. User names and passwords are not to be shared with any other individual at any time during the course of this Security Agreement. Failure to adhere to this provision may result in the immediate termination of access as to a specific individual or to all of your approved Users with possible legal action by DEP for any direct, indirect or consequential damages that the breach of security caused.
- In the event that you believe the security of your user name and/or password, or any user name and/or password, has been breached, you are required to immediately self-report the incident to DEP at 717-705-3768. You will then be instructed by DEP as to any further action required. Failure to report a known security breach may result in the immediate termination of access to a specific individual or to all of your approved Users with possible legal action by DEP for any direct, indirect or consequential damages that the breach of security caused.
- You agree that all electronic filings made by you and your Users pursuant to this designation will be in the manner prescribed by DEP.
- You agree that the approval of all Users will be in the manner prescribed by DEP as outlined in Attachment "A" of this Security Agreement which is incorporated herein by reference.
- DEP reserves the right, at its expense, to audit your records pertaining to the evaluation, granting and monitoring of all security credentials granted to Users under this Security Agreement and you agree to cooperate with any such audit including access to all related records and individuals.
- You understand and agree that everything that is filed electronically must be submitted only by the EFA or User approved to the assigned GreenPort account. You, the EFA or the Users have no authority to delegate access to any third party that results in more than one person utilizing the same GreenPort user name and password. Failure to adhere to this provision may result in the immediate termination of a specific User or your access with possible legal action by DEP for any direct, indirect or consequential damages that this breach of security caused.
- Access to and use of DEP's Oil and Gas Electronic Filing Systems will be according to the designated and approved use: read only, submit only or edit only.
- You agree to engage in no activities during this Security Agreement that would be knowingly incompatible with the software, equipment, or electronic filing system of DEP.
- You will not knowingly permit or instruct the filing of false or erroneous data or documents by any individual with access to the DEP Oil and Gas Electronic Filing Systems during the term of this Security Agreement.
- You agree that all electronic access and filings shall be in accordance with all Federal laws and the laws of the Commonwealth of Pennsylvania.
- You agree to immediately provide to DEP changes to any information requested as part of the security verification process for your EFA, and all of your approved Users, once known or should have reasonably been known. Failure to do so within thirty days of receipt as to any update may result in the termination of your access.

- You will submit to DEP all original Security Agreement and Application forms that you process and approve for access to the DEP Oil and Gas Electronic Filing Systems consistent with Attachment A of this Security Agreement. Documentation as to newly approved users is to be submitted and received by DEP by the first of every month. Submission must be by first class mail as directed in Attachment A. Initials \_\_\_\_\_
- In performing the services required by this Security Agreement, User is an independent Contractor and not an employee or agent of DEP or the Commonwealth of Pennsylvania and this Security Agreement shall be governed by and interpreted and enforced in accordance with the laws of the Commonwealth of Pennsylvania.
- If for any reason you terminate the access of the EFA, or any of your approved Users whether it be voluntarily or involuntarily, you are to notify DEP within 24 hours and provide an explanation as to your decision to terminate access.
- You will submit to DEP with this fully executed Security Agreement, the credentials of your selected EFA. Approval of your designated Users as outlined in Attachment A will not commence until your EFA is approved by DEP.
- DEP reserves the right to request additional information from the Oil and Gas Operator and/or EFA prior to approval of access to the DEP Oil and Gas Electronic Filing Systems.
- In the event that the EFA is also a User, the EFA by signing this agreement incorporates as if set forth in full, and agrees to, the additional obligations cited within the User Security Agreement.
- You agree that all electronic access and filings shall be in accordance with any applicable Federal laws and the laws of the Commonwealth of Pennsylvania.
- The Oil and Gas Operator and EFA shall hold DEP and the Commonwealth harmless from and indemnify DEP and the Commonwealth against any and all claims, demands and actions, including attorney's fees and costs, based upon or arising out of any activities performed by the Oil and Gas Operator, EFA and its employees and agents under this Security Agreement including all approved Users.
- You agree to immediately provide to DEP any changes as to any information that has been requested of the EFA and/or the Oil and Gas Operator as part of the security verification process within thirty (30) days of any change. Failure to do so may result in the immediate termination of your access.

*I agree that the use of my GreenPort password to submit data and records to DEP constitutes an electronic signature. I understand that an electronic signature is taking place every time I use my password to submit data and records to DEP.*

*I intend to be bound by my electronic signature. I authenticate the electronic data and record and attest to the statements contained within. I understand that my electronic signature is fully binding and has the same legal effect as an original, handwritten signature under the Electronic Transactions Act, 73 P.S. § 2260.101. I understand that submitting another individual's electronic signature or attesting to false statements in an electronic record may be subject to substantial civil and criminal penalties, including, but not limited to, 18 P.S. § 4904 relating to Unsworn Falsification to Authorities. If I discover that information I have submitted is incorrect, I will notify the DEP immediately.*

I/We understand and agreed to the terms outlined within this Security Agreement.

I do hereby say, verify and attest to that the information provided below for this Oil and Gas Operator and EFA Registration and Security Agreement as being true and accurate to the best of my knowledge,

information and belief, under penalty of perjury, and subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

**On behalf of the Oil and Gas Operator:**

\_\_\_\_\_ and \_\_\_\_\_  
President or Vice President Secretary or Treasurer  
Date: \_\_\_\_\_ Date: \_\_\_\_\_

**Alternatively:**

I do hereby say, verify and attest to that I have delegated authority to execute documents on behalf of the Oil and Gas Operator for which I represent. **Written proof of my delegation is provided with this Security Agreement for your files.** I represent my delegated authority to execute documents on behalf of the Oil and Gas Operator as being true and accurate to the best of my knowledge, information and belief, under penalty of perjury, and subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Signature \_\_\_\_\_

Delegate: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

**Electronic File Administrator for Oil and Gas Operator:**

I do hereby say, verify and attest to that:

I am fully aware and accept my obligations as an EFA as outlined within this Agreement and Attachment "A"; and

The information provided as to my Application is true and accurate to the best of my knowledge, information and belief, under penalty of perjury, and subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_ Date EFA Signature \_\_\_\_\_

Please send completed forms to:  
PA DEP  
Bureau of Oil & Gas Planning and Program Mgmt.  
Division of Compliance and Data Administration  
PO Box 8765  
Harrisburg, PA 17105-8765  
OR  
FAX: 717.772.2291  
OR  
Email: [RA-ep-BOGMOGRE@pa.gov](mailto:RA-ep-BOGMOGRE@pa.gov)

DEP Approved By:  
\_\_\_\_\_  
(Date)

## Attachment

### "A"

## **Processing of User Requests**

Initials \_\_\_\_\_

1. Prior to processing any User requests, the EFA will be provided instructions (OGRE GreenPort User Administration User's Guide) for administering users in the DEP electronic filing system. All EFAs must be able to navigate the system, retrieve user accounts and provide access to the electronic filing system of all approved Users as to the level of use approved.
2. The EFA will provide the following to any prospective User.
  - a. A copy of the User's Application and Security Agreement for Electronic Filing (Registration Form). The EFA may provide this document in hard or electronic copy for completion by the User.
  - b. The Oil and Gas Operator's DEP assigned OGO Number.
3. The EFA will direct a prospective User to DEP's GreenPort web site: <http://www.depgreenport.state.pa.us> to begin the registration process. The individual will be required to complete the following steps.
  - a. Establish a unique DEP GreenPort account (Username/Password)
  - b. Enroll in the Oil and Gas electronic filing system (accessed via DEP's GreenPort) and submit an electronic request to the EFA in order to access the electronic filing system on behalf of the Oil and Gas Operator administered by the EFA.
  - c. Complete and submit a signed copy of the User's Registration and Security Agreement for Oil and Gas Electronic Filing System (Registration Form) to the EFA. The OGRE GreenPort Registration User's Guide provides instructions for creating a GreenPort account and requesting access to the Oil and Gas electronic filing system.
4. The EFA will direct any prospective User to complete all parts of the Registration Form. The EFA will require that all registration forms be submitted in hard copy.
5. The EFA will evaluate all completed Registration Forms. The evaluation process to confirm each User's identity can include, but not be limited to, verifying the User information telephonically with the sponsoring corporation, reviewing and confirming User information through an available corporate website, or through a licensing entity. The EFA must be confident that the User's identity is verified as the individual represented in the Registration Form.
6. Once a prospective User is verified, the EFA must evaluate and approve the level of access requested.
7. The EFA will confirm approval of a User by signing the submitted Registration Form.
8. In the event that the EFA disapproves a prospective User, the EFA will indicate on the Registration Form the reason for disapproval and sign the submitted Registration Form.
9. A copy of the processed Registration Form is to be returned to the prospective User either via U.S. Mail or electronically.
10. Once approved, the EFA will take the necessary steps to activate the account for the level of approved User access.
11. DEP will provide to the EFA for each User written instructions as to how data should be provided.
12. The EFA will provide in hard copy by the first of each calendar month, hard copies of each User Registration Form processed. Registration Forms are to be mailed to: Department of Environmental Protection, Oil and Gas Management, Division of Compliance and Data Administration, 400 Market Street, Harrisburg, PA 17105.

13. The EFA shall maintain hard copies of all documentation generated in the approval process, including but not limited to the Registration Forms, for a period of 5 years after completion of the User's work.