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Secretary

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COMMON FORM FOR ENGINEERED OPTION PERMITS
See Instructions for Use in Appendix A

Except for 'date received', this Section to be completed by the Professional Engineer licensed in accordance with G.S. 89C

PART 1: Submittal of Notice of Intent to Construct (NOI)

Date Received by LHD: \_\_\_\_\_

1. Facility Owner's name: (Owner, Company Name, Utility, Partnership, Individual, etc.): \_\_\_\_\_

Mailing address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

2. Professional Engineer (PE) name: \_\_\_\_\_ License number: \_\_\_\_\_

Mailing address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

3. Licensed Soil Scientist (LSS) name: \_\_\_\_\_ License number: \_\_\_\_\_

Mailing address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

4. Licensed Geologist (LG) (if applicable) name: \_\_\_\_\_ License Number: \_\_\_\_\_

Mailing address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

5. On-site Wastewater Contractor name: \_\_\_\_\_ License number: \_\_\_\_\_

Mailing address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

6. Proof of Errors and Omissions Insurance for the following persons is attached that includes the name of the insurer, name of the insured and the effective dates of coverage:

- PE LSS LG On-site Wastewater Contractor

7. Property location (physical address, tax parcel identification number or subdivision lot, block number of the property to be permitted): \_\_\_\_\_

County Name: \_\_\_\_\_

8. Facility description and any factors that would affect the wastewater load: \_\_\_\_\_

9. Type and location of wastewater system: \_\_\_\_\_



- 10. Design wastewater flow: \_\_\_\_\_ (For flow >3,000gpd, duplicate plans shall be sent to the State.)  
 Design wastewater strength:  domestic  high strength  industrial process (Duplicate plans shall be sent to the State.)
- 11. A plat as defined in G.S. 130A 334(7a) is attached:  Yes  No
- 12. Owner meets requirements of ownership or control of the system per 15A NCAC 18A .1938(j):  Yes  No
- 13. Easement or encroachment agreement required per 15A NCAC 18A .1938(j):  Yes  No  NA  
 If yes, Documentation filed in \_\_\_\_\_ County Register of Deeds in Deed book \_\_\_\_\_ Page \_\_\_\_\_
- 14. Multi-party agreements required, as applicable, pursuant to 15A NCAC 18A .1937(h):  Yes  No  NA  
 Agreements filed in \_\_\_\_\_ County Register of Deeds in Deed book \_\_\_\_\_ Page \_\_\_\_\_
- 15. Location of proposed or existing wells (drinking water, geothermal, groundwater monitoring, sampling, etc.) and any potable and non-potable water conveyance lines is indicated on attached plans and complies with 15A NCAC 18A .1950:  Yes  No
- 16. Soils and site evaluation signed and sealed by either a LSS or LG is attached:  Yes  No
- 17. Proposed landscape, site, drainage, or soil modifications are attached:  Yes  No  NA

*This Section to be completed by the Professional Engineer licensed in accordance with G.S. 89C*

**Attestation by Registered Professional Engineer licensed in North Carolina pursuant to G.S. 89C**

I, \_\_\_\_\_ hereby attest that this Notice of Intent to Construct is accurate and complete to the best of my knowledge and that the proposed system shall meet all applicable federal, State, and local laws, regulations, rules and ordinances in accordance with G.S. 130A-336-.1(e)(6).  
Registered Professional Engineer (Print Name)

\_\_\_\_\_  
Signature of Registered Professional Engineer

\_\_\_\_\_  
Date

*This section for Owner use only.*

**Designation of Registered Professional Engineer as legal representative of Owner for this Notice of Intent:**

I, \_\_\_\_\_ hereby designate \_\_\_\_\_  
Print Name of Owner Print Name of Registered Professional Engineer

as my legal representative for purposes of this Notice of Intent pursuant to G.S. 130A-336.1.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

**NOTE:** The Department, the Department’s authorized agents or local health departments shall have no liability for wastewater systems designed, constructed and installed pursuant to an Engineered Option Permit. [(NC General Statute 130A-336.1(f))]

The submittal of this **Notice of Intent to Construct** grants right of entry to the Local Health Department and the State to the referenced property.

***This section for Local Health Department use only.***

**PART 2: LHD Completeness Review of the Notice of Intent to Construct**

“(c) *Completeness Review for Notice of Intent to Construct.* – The local health department shall determine whether a notice of intent to construct, as required pursuant subsection (b) of this section, is complete within 15 business days after the local health department receives the notice of intent to construct. A determination of completeness means that the notice of intent to construct includes all of the required components. If the local health department determines that the notice of intent to construct is incomplete, the department shall notify the owner or the professional engineer of the components needed to complete the notice. The owner or professional engineer may submit additional information to the department to cure the deficiencies in the notice. The local health department shall make a final determination as to whether the notice of intent to construct is complete within 10 business days after the department receives the additional information from the owner or professional engineer. If the department fails to act within any time period set out in this subsection, the owner or professional engineer may treat the failure to act as a determination of completeness.”

The review for completeness of this Notice of Intent was conducted in accordance with G.S. 130A-336.1(c).

- According to information submitted by the PE, this Notice of Intent is incomplete. (Enter item numbers.)  
\_\_\_\_\_
- Copies of this form listing missing items were sent to the design PE and the Owner on \_\_\_\_\_ via \_\_\_\_\_  
*Email, FAX, USPS, hand-delivered* *Date*
- This NOI is determined to be complete.
- A copy of this form was sent to the State on \_\_\_\_\_ via \_\_\_\_\_  
*Date* *Email, FAX, USPS, hand-delivered.*

\_\_\_\_\_  
*Print Name of Authorized Agent of the LHD*                      *Signature of Authorized Agent of the LHD*                      *Date*

*This section for Local Health Department use after submittal of items noted as missing above.*

***LHD Follow-up Completeness Review of Intent to Construct***    Date of resubmission to LHD: \_\_\_\_\_

This follow-up review for completeness of this Notice and Intent was conducted in accordance with G.S. 130A-336.1(c).

- According to information submitted by the PE, this notice of intent remains incomplete. (Enter item numbers.)  
\_\_\_\_\_
- Copies of this form were sent to the design PE and the Owner on \_\_\_\_\_ via \_\_\_\_\_  
*Date* *Email, FAX, USPS, hand-delivered*
- This NOI is determined to be complete.
- Copies of this form were sent to the State on \_\_\_\_\_ via \_\_\_\_\_  
*Date* *Email, FAX, USPS, hand-delivered*

\_\_\_\_\_  
*Print name of authorized Agent of the LHD*                      *Signature of authorized Agent of the LHD*                      *Date*

*Except for date received, this section to be completed by the Owner or by the PE designated to act as their legal representative for the EOP.*

**PART 3: Authorization to Operate (ATO)**

“(m) Authorization to Operate. – Within 15 business days of receipt of the documents and fees required pursuant to G.S. 130A-336.1(l)(1), the local health department shall issue the owner a letter of confirmation that states the documents and information contained therein have been received and that the wastewater system may operate in accordance with rules adopted by the Commission.”

Date Received by LHD: \_\_\_\_\_

The following items are included in this submittal for an Authorization to Operate under an EOP:

- 1. Signed and sealed copy of the Engineer’s report that includes:
  - a. Signed and sealed evaluation of soil conditions and site features  Yes  No
  - b. Drawings, specifications, plans  Yes  No
  - c. Reports on special inspections and final inspection  Yes  No
  - d. Management Program manual and Operator contract  Yes  No
  - e. On-site Wastewater Contractor’s signed statement  Yes  No
  - f. Signed and sealed statement pursuant to 15A NCAC 18A .1938(h)  Yes  No
- 2. Fee (as applicable)  Yes  No
- 3. Notarized letter documenting Owner’s acceptance of the system from the PE  Yes  No

**Attestation by the Owner or the PE for Authorization to Operate**

I, \_\_\_\_\_ hereby attest that the items indicated above have been provided to the  
*Print Name of Owner or Professional Engineer*  
\_\_\_\_\_ County LHD.

\_\_\_\_\_  
*Signature of Owner or Professional Engineer*

\_\_\_\_\_  
*Date*

**NOTE:** The Department, the Department’s authorized agents or local health departments shall have no liability for wastewater systems designed, constructed and installed pursuant to an Engineered Option Permit. [(NC General Statute 130A-336.1(f))]

\_\_\_\_\_  
*This section for LHD Use Only.*

**LHD Review of required information for the ATO**

The Owner or PE submitted information for the Authorization to Operate to the LHD on \_\_\_\_\_.  
*Date*

According to the statement above by the Owner or PE, following items are missing from the information required for an Authorization to Operate a system permitted through the Engineered Option Permit (Enter item numbers from list above):  
\_\_\_\_\_

Copies of this form noting missing items were sent to the design PE and the Owner on \_\_\_\_\_ via \_\_\_\_\_  
*Email, FAX, USPS, hand-delivery* *Date*

According to the statement above by the Owner or PE, the information submitted is complete and this Authorization to Operate is hereby issued in accordance with G.S. 130A-336.1(m).

\_\_\_\_\_  
*Print Name of Authorized Agent of the LHD*

\_\_\_\_\_  
*Signature of Authorized Agent of the LHD*

\_\_\_\_\_  
*Date*

**NOTE:** The Department, the Department’s authorized agents or local health departments shall have no liability for wastewater systems designed, constructed and installed pursuant to an Engineered Option Permit. [(NC General Statute 130A-336.1(f))]

**STATE OF NC ENGINEERED OPTION PERMIT**  
**APPENDIX A: INSTRUCTIONS FOR USE OF THE COMMON FORM**

**GENERAL INFORMATION**

This State form is required for submittal of documentation of an Engineered Option Permit (EOP) pursuant to NC General Statute 130A-336.1.

Three separate actions are addressed in this single form:

1. Notice of Intent to Construct (NOI)
2. Local Health Department (LHD) Completeness Review of the NOI
3. Authorization to Operate (ATO)

G.S. 130A-336.1 states that:

*“The Department, the Department’s authorized agents or local health departments shall have no liability for wastewater systems designed, constructed and installed pursuant to an Engineered Option Permit.”*

The registered professional engineer (PE) is fully responsible for the siting, design, construction of the system as well as for development of an appropriate management plan. Thus, the LHD shall not conduct a qualitative review of submitted information but will simply document that the PE or Owner attests that the information required by Statute and Rule has been provided. The directions provided here describe the steps in using this State approved common form.

**PART 1: Notice of Intent to Construct (NOI)**

The LHD enters the date that the NOI is received. The PE completes the remainder of this part of the form through item 17 and attests to the integrity of the submitted information. The form may be submitted to the LHD by either the Owner or the PE, provided the PE is designated by the Owner as their legal representative.

**Attestation by Registered Professional Engineer**

The PE signs and dates this section to attest that the information provided on the form meets the requirements of 130A-336.1 and 15A NCAC 18A .1971.

The LHD verifies that the PE signed and dated this section.

**Designation of PE as Owner’s Representative**

If the Owner wishes, they may designate the PE to act as their legal representative for purposes of the EOP. The Owner may use this part of the form for the purpose of designation. Other means of such designation are acceptable provided that the documentation clearly indicates the same information shown in this section and the Owner signs and dates the documentation.

**PART 2: LHD Completeness Review of the Notice of Intent**

This section is designed for the LHD to document receipt of the required items. The LHD has no liability for the site evaluation, design plans and specifications and the construction of the system. Thus, the completeness review is based upon information that the PE provides and attests to, not on the basis of any other review of the submittal.

**Items 1 through 5:** The LHD verifies that the PE provided contact information for the Owner as well as for all professionals who will participate in the design, permitting, installation and inspection process.

**Item 6 through 17:** LHD verifies that the PE attested to the following on the NOI:

6. Proof of Insurance is attached for each professional that includes the name of the insurer, the name of the insured individual and the effective dates of coverage. (*Note that, at a minimum, the PE must check boxes for "PE", "LSS" and "Onsite Wastewater Contractor" and attach Proof of Insurance attached in accordance with G.S. 130A-336.1(b)(3).*)
  7. The PE identified a physical location of the property. If a 911 address is not yet assigned, other identifying information must be provided such as a PIN or Subdivision name/Phase or Section/Lot number.
  8. The PE provided a facility description (e.g., "Single family residence", "Office space" or "Dog kennel"). The PE shall describe any factors that "would affect the wastewater load" on the form.
  9. The PE designated a System Type (per Rule.1961) and rough system location ("Right rear of property as viewed from the road" or similar).
  10. The PE stated the projected wastewater flow and indicated the projected wastewater strength. (*Duplicate plans for EOPs addressing flows greater than 3,000 gpd or industrial process wastewater (IPWW) are required to be sent to the state by the PE.*)
  11. The PE stated that a Plat as defined in 130A-334 (7a) is included in the submittal.
  12. The PE stated that the Owner owns or controls the property on which the system is located as required by 15A NCAC 18A .1938(j).
  13. If the PE indicated that easements or encroachment agreements are required, the PE also lists the County, Deed book and Page number where they are recorded.\*
  14. If the PE indicated that multi-party agreements are required, the PE also lists the County, Deed book and Page number where they are recorded.\*
  15. The PE stated that any proposed setbacks to all water supplies and appurtenances are compliant with 15A NCAC 18A .1950.
  16. The PE stated that a soils and site evaluation signed and sealed by either a Licensed Soil Scientist or a Licensed Geologist (as applicable) is attached.
  17. The PE stated whether or not plans for proposed landscape, site, drainage or soil modifications are included.
- \*These must be addressed prior to submittal of the NOI so that Owner can apply for building permits once the NOI is determined to be complete.

#### **Documentation of results of LHD Completeness Review of the NOI**

- The LHD verifies that the PE signed and dated this section to attest to the integrity of the information.
- If the PE is acting on the owner's behalf for ANY part of this process, the LHD verifies that the Owner signed the section for designation of the PE as their legal representative.
- If the information provided by the PE on the NOI form is *incomplete*, the LHD checks the box and enters the item number(s) in the space provided. If the information provided by the PE indicates that no items are missing, enter "None".
- The LHD checks the box to indicate notification was sent to the Owner and PE of items necessary to complete the NOI. The LHD indicates the date notification was conveyed and the means of conveyance.
- If the NOI is deemed *complete*, the authorized agent prints their name, signs and dates the form.
- A copy of the form is sent to the Owner and PE. *The LHD retains the original document.*
- The LHD shall note the date a copy of the final NOI is sent to the Department.

The LHD must complete this review and respond to the PE and Owner within 15 days of receipt of the initial submittal or within 10 days of submittal of missing information. If the LHD fails to respond, the owner or PE may treat the failure to act as a determination of completeness.

If needed, the LHD uses the area provided to document a 'follow up' review when missing items are submitted.

### **PART 3: Authorization to Operate (ATO)**

When construction of the system is complete, the owner (or the PE, if designated as the Owners legal representative) shall submit documentation to the LHD as required in 130A-336.1(l) and as further specified in 130A-336.1(k) and 15A NCAC 18A .1938(h).

- The LHD enters the date the information was received.
- The Owner or PE indicates on this form what information they have submitted to the LHD by indicating YES or NO next to each required item.
- The Owner or PE signs and dates this section to attest that the listed information is attached.
- The LHD verifies that the Owner or the PE signed this section attesting to the integrity of the information.

The LHD shall respond to the PE and Owner within 15 days of receipt this information.

- If the information provided by the Owner or PE is incomplete (as indicated on the form), the LHD checks the box and enters the item number(s) in the space provided.
- If the information indicates that no items are missing, enter "None".
- The LHD checks the box to indicate notification was sent to the Owner and PE of items necessary to complete the ATO. The LHD enters the date notification was conveyed and the means of conveyance.
- If the information is complete, the authorized agent prints and signs their name and dates the form.
- A copy of the form is sent to the Owner and PE. The LHD retains the original document.
- The LHD shall note the date a copy of the final NOI is sent to the Department.