



RICHARD O. BRAJER
Secretary

DANIEL STALEY
Director, Division of Public Health

COMMON FORM FOR ENGINEERED OPTION PERMIT
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

LHD USE ONLY: Initial submittal of this NOI received: _____ by _____
Date Initials

PART 1: Notice of Intent to Construct (NOI)

- Facility Owner's name: (Owner, Company Name, Utility, Partnership, Individual, etc.): _____
Mailing address: _____ City: _____ State: _____ Zip: _____
Telephone number: _____ E-mail Address: _____
- Professional Engineer (PE) name: _____ License number: _____
Mailing address: _____ City: _____ State: _____ Zip: _____
Telephone number: _____ E-mail Address: _____
- Licensed Soil Scientist (LSS) name: _____ License number: _____
Mailing address: _____ City: _____ State: _____ Zip: _____
Telephone number: _____ E-mail Address: _____
- Licensed Geologist (LG) (if applicable) name: _____ License Number: _____
Mailing address: _____ City: _____ State: _____ Zip: _____
Telephone number: _____ E-mail Address: _____
- On-site Wastewater Contractor name: _____ License number: _____
Mailing address: _____ City: _____ State: _____ Zip: _____
Telephone number: _____ E-mail Address: _____
- 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
- Property location (physical address, tax parcel identification number or subdivision lot, block number of the property to be permitted): _____
County Name: _____



- 8. Type of facility: Place of residence No. Bedrooms: _____ No. Occupants: _____
 Place of business Basis for flow calculation: _____
 Place of public assembly Basis for flow calculation: _____

9. Factors that would affect the wastewater load: _____

10. Type and location of wastewater system: _____

11. Design wastewater flow: _____ gpd (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.)

12. A plat as defined in G.S. 130A 334(7a) is attached: Yes No

13. Owner meets requirements of ownership or control of the system per 15A NCAC 18A .1938(j): Yes No

14. Easement or encroachment agreement required per 15A NCAC 18A .1938(j): Yes No

If yes, documentation filed in _____ County Register of Deeds in Deed book _____ Page _____

15. Multi-party agreements required, as applicable, pursuant to 15A NCAC 18A .1937(h): Yes No

If yes, agreements filed in _____ County Register of Deeds in Deed book _____ Page _____

16. Location of proposed or existing wells (drinking water, irrigation, 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

17. Soils and site evaluation signed and sealed by either a LSS or LG is attached: Yes No

18. Proposed landscape, site, drainage, or soil modifications are attached: Yes NA

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

I, _____ hereby attest that the information required to be included with this
Registered Professional Engineer (Print Name)
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).

Signature of Licensed Professional Engineer Date

This section for Owner use to either designate PE as their legal representative or to self-submit the NOI.

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*

Owner self-submittal of NOI

I, _____ hereby submit this NOI prepared by _____
Print Name of Owner *Print Name of Licensed PE*

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). This NOI is determined to be:

INCOMPLETE (If box is checked, Information in this section is required.)

Based upon review of information submitted by the PE in Part 1, the following items are missing: _____

Copies of this form listing missing items were sent to the design PE and the Owner on _____

Date

via _____ with directions to re-submit missing items using Page 5 of this form.

Email, FAX, USPS, hand-delivered

COMPLETE (If box is checked, information in this section is required.)

Based upon review of information submitted by the PE in Part 1 of this form, this NOI is deemed COMPLETE.

Copies of this signed form were sent to the design PE and the Owner on _____ via _____.

Date

Email, FAX, USPS, hand-delivered

A copy of this NOI and tracking information was sent to the State on _____ via _____.

Date

Email, FAX, USPS, hand

Print Name of Authorized Agent of the LHD

Signature of Authorized Agent of the LHD

Date

Re-submittal of NOI with missing items included

This Section is for use by PE to submit items noted as missing during LHD Completeness Review above.

LHD USE ONLY: This NOI resubmittal received: _____ by _____
Date Initials

Item # from initial NOI	Resubmittal description

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

I, _____ hereby attest that the information re-submitted for this Notice of
Licensed Professional Engineer (Print Name)
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).

Signature of Licensed Professional Engineer Date

The section below is for Local Health Department use after submittal of items noted as missing above.

LHD Follow-up Completeness Review of Notice of Intent to Construct

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

INCOMPLETE
Based upon review of information submitted by the PE in the RESUBMITTAL above, this Notice of Intent remains INCOMPLETE because the following items from Part 1 of this form remain missing: _____

Copies of this signed form were sent to the design PE and the Owner on _____ via _____
Date Email, FAX, USPS, hand

COMPLETE
Based upon review of information submitted by the PE in the RESUBMITTAL above in addition to information provided in Part 1 of this form, this NOI is deemed complete.

Copies of this signed form were sent to the PE and the Owner on _____ via _____
Date Email, FAX, USPS, Hand

A complete copy of this form with tracking information was sent to the State: _____ via _____
Date Email, FAX, USPS, hand

Print name of authorized Agent of the LHD Signature of authorized Agent of the LHD Date

PART 3: Authorization to Operate (ATO)

Except for date received, the Section below is to be completed by the Owner or by the PE designated to act as their legal representative for the EOP.

LHD USE ONLY: Initial submittal of request for ATO received: _____ by _____
Date Initials

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 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 all items indicated above have been provided to the
Print name of Owner or Professional Engineer
_____ County LHD and 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).

Signature of Owner or Professional Engineer *Date*

This section for LHD Use Only.

LHD Review of required information for the ATO

INCOMPLETE
Based upon review of information submitted by the Owner or PE in the Section above, the following items are missing from the information required for an Authorization to Operate for an EOP: _____
Copies of this signed form were sent to the design PE and the Owner on _____ via _____
Date Email, FAX, USPS, hand

COMPLETE
Based upon review of information submitted by the Owner or PE in the Section above, this Authorization to Operate is hereby issued in accordance with G.S. 130A-336.1(m).

A copy of this complete NOI/ATO with tracking information was sent to the State on _____ via _____
Date Email, FAX, USPS, hand

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 form:

1. Notice of Intent to Construct (NOI) (and resubmittal of missing information)
2. Local Health Department (LHD) Completeness Review of the NOI as submitted by the PE and written confirmation of same

Review of information submitted by the PE for Authorization to Operate (ATO) and written confirmation of same 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 PE or Owner attests that the information required by Statute and Rule has been provided. LHD review is limited to a review of information provided by the PE on the form.

PART 1: Notice of Intent to Construct (NOI)

Content (as submitted by the Registered PE) for the NOI

The PE completes Part 1 of the form through item 17, and signs and dates it to confirm that the information provided meets the requirements of 130A-336.1 and 15A NCAC 18A .1971.

Form received by LHD

The form may be submitted to the LHD by either the Owner or the PE, provided the Owner designates the PE as their legal representative. The LHD enters the date that the initial NOI is received. The LHD enters the reference number for the EOP at the top of each page.

The LHD verifies that the PE attested to the content submitted by signing and dating as appropriate. If not signed by the PE, the NOI is INCOMPLETE.

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 submitted items.

Items 1 through 5: The LHD verifies that the PE provided contact information for the Owner as well as for professionals who will participate in the design, permitting, installation and inspection process. Without contact information for a PE, licensed soil scientist (LSS) and an Onsite System Contractor (at a minimum), the NOI is INCOMPLETE.

Item 6 through 17: LHD verifies that the PE:

6. Stated on the form that “proof of errors and omissions or other liability Insurance” is attached for each professional and that the submitted information 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 in accordance with G.S. 130A-336.1(b)(3)].*
 7. Provided 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. Provided a facility description (e.g., “Single family residence”, “Office space” or “Dog kennel”) and the basis for the flow projection required in Number 11. Note that for residences, Number of occupants is required. For businesses and places of public assembly, the PE must indicate the specific basis for flow projection (Number of seats, occupancy load, etc.).
 9. The PE shall describe any factors that “would affect the wastewater load” on the form.
 10. Designated a System Type (per Rule.1961) and rough system location (“Right rear of property as viewed from the road” or similar).
 11. Stated the projected wastewater flow and 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 or owner.)*
 12. Stated that a Plat as defined in 130A-334 (7a) is included in the submittal.
 13. Stated that the Owner owns or controls the property on which the system is located [15A NCAC 18A .1938(j)].
 14. Indicated whether easements or encroachment agreements are required, and if YES, lists the County, Deed book and Page number where they are recorded. *
 15. Indicated whether multi-party agreements are required, and if YES, lists the County, Deed book and Page number where they are recorded. *
 16. Stated that any proposed setbacks to all water supplies and appurtenances are compliant with 15A NCAC 18A .1950.
 17. Stated that a soils and site evaluation signed and sealed by either a LSS or Licensed Geologist (LG), as applicable is attached.
 18. Stated whether or not plans for proposed landscape, site, drainage or soil modifications are included.
- *Must be recorded at this stage so the Owner can apply for building permits once the NOI is determined to be complete.*

Documentation of Completeness Review

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

- 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.
- INCOMPLETE: Check this box if appropriate.
 - LHD enters the item number(s) in the space provided.
 - LHD indicates the date and method by which notification was conveyed to the Owner and the PE. *The Owner or PE may re-submit missing information using Page 5 of the common form.*
- COMPLETE – Check this box if appropriate.
 - LHD indicates that notification was sent to the Owner and PE. *The LHD retains the original document.*
- LHD shall note the date a copy of the final NOI and tracking documentation is sent to the Department as required.

Follow-up: LHD Completeness Review of resubmitted information

The LHD must review and respond within 10 days of re-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.

- The LHD enters the date the resubmitted information is received and verifies that the PE signed and dated this section to attest to the nature of the resubmitted information.
- Proceed as described in the previous section depending upon whether the NOI is INCOMPLETE or COMPLETE.

PART 3: Authorization to Operate (ATO)

Documentation required for the ATO and attestation by the PE

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.

LHD Review of information submitted by the Owner or PE

The LHD shall respond to the PE and Owner within 15 days of receipt the information for the ATO. Again, 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.

- **INCOMPLETE:** Check this box if any of the boxes in this section are checked “No”.
 - LHD enters the item number(s) in the space provided.
 - LHD indicates the date and method by which notification was conveyed to the Owner and the PE.
 - The Owner or PE may re-submit missing information.
- **COMPLETE –** Check this box if appropriate.
 - The LHD indicates that notification was sent to the Owner and PE. *The LHD retains the original document.*
 - LHD notes when and how a copy of the complete NOI, ATO and tracking documentation is sent to the Department as required.

Appendix B: Tracking information

The LHD completes out this form for each NOI/ATO submitted to their offices. The LHD updates this information and re-sends it throughout the process as appropriate. The Department will use this data to draft required legislative reports on implementation of the EOP.

Tracking information for Engineered Option Permits (Required)

County	
LHD Reference Number	
Permitting backlog as of date of NOI submittal (# days)	
Number of days to process the NOI (# days)	
Number of days to process re-submitted NOI (# days or "NA")	
Facility type	
Domestic, High Strength or IPWW	
Design Daily Flow	
Residential or Commercial	
Date of Post-construction conference	
Date Authorization to Operate issued	
Fee charged for EOP	
Is fee sufficient to cover LHD costs?	
Date LHD notified of EOP malfunction	
Date LHD notified of Owner complaint	