

**STATE OF NC ENGINEERED OPTION PERMIT (EOP)
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; and,
3. 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 18, 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 designation. Other means of such designation are acceptable if 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 on the NOI, not based on 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 the owner, a PE, licensed soil scientist (LSS) and an Onsite System Contractor (at a minimum), the NOI is INCOMPLETE.

Item 6 through 19: LHD verifies that the PE:

6. States 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. Provides 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. Provides 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. Describes any factors that “would affect the wastewater load” on the form.
 10. Designates a System Type (per Rule.1961) and rough system location (“Right rear of property as viewed from the road” or similar).
 11. States 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. States that a Plat as defined in 130A-334 (7a) is included in the submittal.
 13. States 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. Indicates whether multi-party agreements are required, and if YES, lists the County, Deed book and Page number where they are recorded.*
 16. States that any proposed setbacks to all water supplies and appurtenances are compliant with 15A NCAC 18A .1950.
 17. States that a soils and site evaluation in accordance with G.S. 130A-335(a1) signed and sealed by a LSS is attached.
 18. States that an evaluation of geologic and hydrogeologic conditions in accordance with G.S. 130A-335(a1) signed and sealed by a LG is attached, if applicable.
 19. States whether 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.
NOTE: 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.

Resubmittals

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.

Note: Once the NOI is deemed complete, please refer interested parties to the text included below the LHD signature line regarding the issuance of building permits pursuant to 130A-338.

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.

Note: Once the ATO information is deemed complete, please refer interested parties to the text included below the LHD signature line regarding the statutory language allowing issuance of permanent power and certificate of occupancy pursuant to 130A-339.

EOP Tracking information

The LHD completes 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	
System type (per Rule .1961)	
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	