



Lincoln County Health Department

151 Sigmon Road
Lincolnton, NC 28092
PHONE: 704-735-3001 FAX: 704-732-9034

Margaret B. Dollar, M.Ed.
Health Director



Board of Health

Dentist - Dr. Cordell Scott, II, DMD - Chairman
Optometrist - Dr. Kimberly Hoyle, OD
Pharmacist - Patrick Fletcher, RPh
County Commissioner - Cecelia Martin
Nurse - Ginger Lusk, RN, COHNS
Physician - Dr. Jermeiah Martin, MD

Public Member - Kathy Caudle, SNS - Vice-Chairman
Public Member - Sheldon Lutz, CPC, CPPM
Public Member - vacant
Engineer - Kirk Gavel, P.E.
Veterinarian - vacant

PROPOSED FEE SCHEDULE CHANGES

ENVIRONMENTAL HEALTH DIVISION

LINCOLN COUNTY HEALTH DEPARTMENT

POSTED TO THE PUBLIC JULY 22 - AUGUST 1, 2016

MISSION STATEMENT

The Lincoln County Health Department provides quality health services to promote a healthy community.

VISION STATEMENT

Lincoln County Health Department services will promote healthy lifestyles through prevention, preparedness, and education.

LEGAL NOTICE

LINCOLN COUNTY HEALTH DEPT.

ENVIRONMENTAL HEALTH FEE PROPOSAL

Notice is hereby given to the public for 10 days, pursuant to N.C.G.S. 130A-39(g) and 130A-336.1(n), that the Lincoln County Board of Health, upon recommendation of the Health Director, is proposing that cost-related fees be increased for 1) Private Water Supply Samples due to increased fees charged by the State Public Health Laboratory, and 2) that a new fee be implemented for the new Engineered Option (Septic) Permit adopted by the NC General Assembly effective July 1, 2016. Both types of proposed fees would only be effective upon approval by the County Commissioners. These services are provided by the Environmental Health Division of Lincoln County Health Department (LCHD). According to state law, all fee revenues are used solely to support Environmental Health services and staffing for the purpose of providing tax payers with better quality and quantity of service.

Any county resident wishing to make public comment on the fee proposal should send comments in writing to: Margaret B. Dollar, Secretary to the Lincoln County Board of Health, 151 Sigmon Rd., Lincolnton NC 28092. Deadline for receipt of written comments is Monday, August 1, 2016. Copies of the Fee Proposal may be reviewed during regular business hours at the Health Department's main office on Sigmon Road, at the Environmental Health Office, 302 N. Academy Street, Lincolnton, NC, at the County Manager's Office, 115 W. Main Street, Lincolnton, NC, or online at www.lincolncounty.org.

Proposed Fee Schedule Increase:

- 1) Motion by Board of Health: *To increase local fees to reflect the current cost of water testing kits charged by the State PH Lab, plus \$10 to cover the shipping charge.*

PRIVATE WATER SUPPLY FEES

(Customer must request these samples; they are not part of the required sampling Analysis in the well program)

Bacteriological Samples ----- \$ 25.00 each (No Change)

Inorganic Chemical Samples ----- \$ 30.00 each (Current Fee)

(Regular Parameters Only) ----- (New Lab Fee \$63) (New Proposed Fee \$73)

(Nitrate Only) ----- (New Lab Fee \$26) (New Proposed Fee \$36)

(Sulfate-Reducing/Sulfur Bacteria Only) ----- (New Lab Fee \$40) (New Proposed Fee \$50)

(Iron Bacteria) ----- (New Lab Fee \$30) (New Proposed Fee \$40)

Pesticide Samples ----- \$ 50.00 each (Current Fee) (New Lab Fee \$74) (New Proposed Fee \$84)

Petroleum Samples ----- \$ 50.00 each (Current Fee) (New Lab Fee \$74) (New Proposed Fee \$84)

2) Motion by Board of Health: *To add a new fee for EH costs incurred in processing, reviewing and approving septic permit applications submitted by private engineers on behalf of homeowners.* NCGS 130A-336.1(n) allows Health Departments to charge a fee equal to 30% of the cumulative total of fees already established for such permits...in Lincoln County, the fee would be \$90 for residential and \$105 for non-residential septic permits.

All EH services require an application process with fee payment due at time of application. This fee proposal will be placed on the agenda of the Board of Commissioner's August 15, 2016 meeting. Any persons wishing to make additional comments are encouraged to attend.

Respectfully Submitted,

Margaret B. Dollar, M.Ed
Health Director and Secretary to the Board of Health



Lincoln County Health Department

151 Sigmon Road
Lincolnton, NC 28092
Phone: 704-735-3001
Fax: 704-732-9034
Margaret B. Dollar, M.Ed.
Health Director



To: Lincoln County Board of Health

From: Maggie Dollar, M.Ed.
Health Director

Re: Well Water Testing Fee Proposal

Due to Increase in Water Testing Kit Fees Charged to LHD's by State Lab

Date: July 12, 2016

For the second time since 2014, the State Public Health Laboratory has increased prices that health departments have to pay for well water testing kits, effective July 1, 2016. The Health Department absorbed the extra cost during FY 14-15 and FY15-16 but now proposes to implement the following fee schedule in accordance with the motion previously adopted by the Lincoln County BOH. The motion by the Board was to charge the cost of the water testing kit, plus \$10 to cover the shipping charge.*

ANALYSES	OLD STATE LAB FEE PER KIT	CURRENT COUNTY FEE (cost plus some labor and mileage)	STATE LAB FEE INCREASE PER KIT AS OF 9-1-14	NEW STATE LAB FEE INCREASE PER KIT AS OF 7-1-16	NEW PROPOSED COUNTY FEE * (does not include labor or mileage)
Inorganic Panel	\$3.15	\$30.00	\$60.00	\$63.00	*\$73.00
Nitrate/Nitrite	\$7.55	\$30.00	\$25.00	\$26.00	*\$36.00
Iron Bacteria	\$3.15	\$30.00	\$28.00	\$30.00	*\$40.00
Sulfur/Sulfate – Reducing Bacteria	\$3.15	\$30.00	\$35.00	\$40.00	*\$50.00
Petroleum Products	\$23.99	\$50.00	\$74.00	\$74.00	*\$84.00
Pesticides	\$23.99	\$50.00	\$74.00	\$74.00	*\$84.00

Water Testing Fee Schedule Proposal, page 2

A motion to approve this fee proposal as stated above (✓), or, with changes noted (), was made by Kirk Gavel P.E., seconded by Patrick Fletcher P.H.D. and approved by all on this day, July 12, 2016.

Cordell Scott, II
Cordell Scott, II, DMD
Chairman, Lincoln County Board of Health

Date 7/12/16

WELL PERMIT FEES

New/Replacement Wells ----- \$ 350.00 each
(Includes initial well siting visit, grouting inspection, well head completion inspection)

Existing Well Repair ----- \$175.00 each
(Excludes Pump Replacement)

State Required Water Sampling (17 parameters)-----\$200.00 each well (No Change)

Abandonment Verification Visit -----no charge

PRIVATE WATER SUPPLY FEES

(Customer must request these samples, they are not part of the required sampling analysis in the well program)

Bacteriological Samples ----- \$ 25.00 each (No Change)

Inorganic Chemical Samples ----- \$ 30.00 each (Current Fee)
(Regular Parameters Only) ----- (New Lab Fee \$63) (New Proposed Fee \$73)
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PUBLIC SWIMMING POOL FEES

Seasonal Pools (Includes Permit and One Inspection)----- \$100.00 each/season
(Operating on or after April 1 and closing on or before October 31)

Annual Pools [Includes Permit and Two (2) Inspections]----- \$ 200.00 each/year

Private Pool Testing (By Request Only) ----- \$ 100.00 each

Extra Visits ----- \$ 75.00 each

Plan Review (One-time fee) ----- \$ 150.00 each

FOOD ESTABLISHMENT PLAN REVIEW FEES

Restaurant (seats) Plan Review----- \$ 150.00 each

Food Stand (no seats) Plan Review----- \$ 75.00 each

Meat Market Plan Review----- \$ 75.00 each

Renovation/Upgrade Plan Review----- \$ 50.00 each

**(EXCLUDING PROTOTYPE FRANCHISED, CHAIN FACILITIES &
NONPROFIT ORGANIZATIONS)**

OTHER FEES

Temporary Food Events (TFE) Fee (Effective August 15, 2009)----- \$ 75.00 each
Tattoo Parlor Annual Fee ----- \$ 275.00/artist/year



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Margaret B. Dollar, M.Ed.
Health Director



TO : LINCOLN COUNTY BOARD OF HEALTH *MWD*

FROM: MAGGIE DOLLAR, M.ED. HEALTH DIRECTOR

RE: ENGINEERED OPTION PERMIT FEE PROPOSAL FOR
SEPTIC SYSTEM PERMITS
Pursuant to NCGS 130A-336.1

DATE: JULY 6, 2016 for July 12, 2016 BOH Meeting

BACKGROUND:

Health Department Registered Environmental Health Specialists are licensed in NC to conduct the work needed to issue an on-site wastewater system permit. Our current fees for new residential permits (Improvement Permit and Authorization to Construct) total \$300; non-residential permits total \$350. Effective July 1, 2016, the NC legislature passed a new law which allows home owners the option of hiring a professional engineer (P.E.) to develop drawings, plans and specifications for the design, construction, operation and maintenance of a wastewater system. This also involves the homeowner hiring a licensed soil scientist or geologist to conduct the soil evaluation.

PROPOSAL:

Health Departments will still be responsible for carrying out several components of the process, including Notice of Intent reviews, a final site visit/Post Construction Conference/final approval, local and state reporting, and permanent storage of the permit. Therefore, according to NCGS 130A-336.1 (n), LHD's are allowed by law to charge up to 30% of our cumulative total of the fees already established for such permits. Therefore we propose to charge a fee for Engineered Option Permits equal to 30% of the total of our current Improvement Permit and Authorization to Construct fees ...i.e., \$90 for residential and \$105 for non-residential.

The Engineered Option Permit Fee Would Cover the following Permitting Components:

(1) Application

- A. Engineer is responsible for obtaining the zoning pre-permit letter (may need to consult with EH first).

Engineered Option Permit Fee Proposal, page 2

- B. EH issues "Common Form" and explains Engineered Option Permit (EOP) process.
- C. EH collects local LHD fee.

(2) Notification of Intent to Construct (NOI)

- A. Upon receipt of completed EOP Common Form, REHS staff must review the form and all related documents within 15 days.
 - If complete, REHS signs off on NOI (part 2, page 3).

- If incomplete, REHS notifies party of missing item/s and holds another review within 10 days of receipt of missing items, then signs off.

- B. Septic Contractor constructs Septic System.

(3) Authorization to Operate (ATO)

- A. REHS makes final inspection site visit and holds Post-Construction Conference.
 - If complete, REHS issues ATO (part 3, page 4) within 15 days
 - If incomplete, get missing information and then make another site visit and issue ATO within 10 days of receipt of additional information..

(4) Filing Documents

- A. EH must maintain all documents permanently (electronic and hardcopy), or until property goes on public sewer at which time permit can be purged if agency policy allows.

Respectfully Submitted,



Lincoln County Health Director

A motion to approved this fee proposal as stated above (✓), or, with changes noted (), was made by Kirk Gavel, P.E., seconded by Ginger Lusk, RN, and approved by all on this day, July 12, 2016.


Cordell Scott, II, DMD

Chairman, Lincoln County Board of Health


7/12/16
Date

G. S. 130A-336.1

n) Fees. – The local health department may assess a fee for the engineered option permit of up to thirty percent (30%) of the cumulative total of the fees the department has established to obtain an improvement permit, an authorization to construct, and an operations permit for wastewater systems under its jurisdiction. The fee shall only be used by the department in support of its work pursuant to this section to conduct site inspections; support the department's staff participation at post-construction conference meetings; and archive the engineered permit with the county register of deeds or other recordation of the wastewater system as required.

On-Site Permit Type	Current Fee (Total)	30% Charge
IP/AC (Residential)	\$300.00	\$90.00
IP/AC (Non-Residential)	\$350.00	\$105.00



Lincoln County

Environmental Health Fee Schedule

Effective: July 1, 2007

ON-SITE WASTE DISPOSAL FEES

LHD

EOP (30%)

Improvement Permit (Residential) ----- \$ 100.00 each
(Includes soil/site evaluation and proposed system area)

Authorization to Construct (Residential) ----- **\$ 200.00 each**
(Includes authorization visit, site verification and operational permit)

TOTAL \$ 300.00 \$90.00

Improvement Permit (Non-Residential) ----- \$ 125.00 each
(Includes soil/site evaluation and proposed system area)

Authorization to Construct (Non-Residential) ----- **\$ 225.00 each**
(Includes authorization visit, site verification and operational permit)

TOTAL \$ 350.00 \$105.00

Reinspection Fees for Certain Systems:

- Type IIIb [once every five (5) years] ----- \$ 50.00 each
- Type IV [once every three (3) years] ----- \$ 50.00 each
- Type V [once every year] ----- \$ 75.00 each
- Type VI [once every six (6) months] ----- \$100.00 each

Septic Compliances in Mobile Home Parks ----- \$110.00 each

Reconnect Permits on Private Lots ----- \$110.00 each

Septic Tank Permit Changes ----- **\$150.00 each**
(Moving System or Expansion)

Wasted Trip (excluding repair malfunctions) ----- \$ 75.00 each

Repairs (Malfunctions) ----- **No Charge**

§ 130A-336.1. Alternative process for wastewater system approvals.

(a) Engineered Option Permit Authorized. – A professional engineer licensed under Chapter 89C of the General Statutes may, at the direction of the owner of a proposed wastewater system who wishes to utilize the engineered option permit, prepare signed and sealed drawings, specifications, plans, and reports for the design, construction, operation, and maintenance of the wastewater system in accordance with this section and rules adopted thereunder.

(b) Notice of Intent to Construct. – Prior to commencing or assisting in the construction, siting, or relocation of a wastewater system, the owner of a proposed wastewater system who wishes to utilize the engineered option permit, or a professional engineer authorized as the legal representative of the owner, shall submit to the local health department with jurisdiction over the location of the proposed wastewater system a notice of intent to construct a wastewater system utilizing the engineered permit option. The Department shall develop a common form for use as the notice of intent to construct that includes all of the following:

- (1) The owner's name, address, e-mail address, and telephone number.
- (2) The professional engineer's name, license number, address, e-mail address, and telephone number.
- (3) For the professional engineer, the licensed soil scientist, the licensed geologist, and any on-site wastewater contractors, proof of errors and omissions insurance coverage or other appropriate liability insurance.
- (4) A description of the facility the proposed site is to serve and any factors that would affect the wastewater load.
- (5) The type of proposed wastewater system and its location.
- (6) The design wastewater flow and characteristics.
- (7) Any proposed landscape, site, drainage, or soil modifications.
- (8) A soil evaluation that is conducted and signed and sealed by either a licensed soil scientist or licensed geologist.
- (9) A plat, as defined in G.S. 130A-334(7a).

(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.

(d) Submission of Notice of Intent to Construct to Department for Certain Systems. – Prior to commencing in the construction, siting, or relocation of a wastewater system designed (i) for the collection, treatment, and disposal of industrial process wastewater or (ii) to treat greater than 3,000 gallons per day, the owner of a proposed wastewater system who wishes to utilize the engineered option permit, or a professional engineer authorized as the legal representative of the owner, shall provide to the Department a duplicate copy of the notice of intent to construct submitted to the local health department required pursuant to subsection (b) of this section.

(e) Site Design, Construction, and Activities.

(1) The professional engineer designing the proposed wastewater system shall use recognized principles and practices of engineering and applicable rules of the Commission in the calculations and design of the wastewater system. The investigations and findings of the professional engineer shall include, at a minimum, the information required in rules adopted by the Commission pursuant to G.S. 130A-335(e). The professional engineer may, at the engineer's discretion, employ pretreatment technologies not yet approved in this State.

(2) Notwithstanding G.S. 130A-335(a1), the owner of the proposed wastewater system shall employ either a licensed soil scientist or a geologist, licensed pursuant to Chapter 89E of the General Statutes and who has applicable professional experience, to evaluate soil conditions and site features.

(3) The professional engineer designing the proposed wastewater system:

- a. Shall be responsible for the engineer's scope of work, including all aspects of the design and any drawings, specifications, plans, or reports that are signed and sealed by the professional engineer.
- b. Shall prepare a signed and sealed statement of special inspections that includes the following items:
 1. The materials, systems, components, and work subject to special inspection or testing.
 2. The type and extent of each special inspection and each test.
 3. The frequency of each type of special inspection. For purposes of this sub-sub-subdivision, frequency of special inspections shall be required on either a continuous or periodic basis. Continuous special inspections mean the full-time observation of work requiring special inspection by an approved special inspector who is present in the area where the work is performed. Periodic special inspections mean the part-time or intermittent observation of work requiring a special inspection by an approved special inspector who is present in the area where the work is or has been performed and at the completion of the work.
- c. May assist the owner of the proposed wastewater system with the selection of an on-site wastewater system contractor certified pursuant to Article 5 of Chapter 90A of the General Statutes.

(4) An on-site wastewater system contractor, licensed pursuant to Article 5 of Chapter 90A of the General Statutes, who is employed by the owner of the wastewater system, shall:

- a. Be responsible for all aspects of the construction and installation of the wastewater system or components of the wastewater system, including adherence to the design, specifications, and any special inspections that are prepared, signed, and sealed by the professional engineer in accordance with all the applicable provisions of this section.
- b. Submit a signed and dated statement of responsibility to the owner of the wastewater system, prior to the commencement of work, that contains acknowledgement and awareness of the requirements in the professional engineer's statement of special inspections.

- (5) Where the professional engineer's designs, plans, and specifications call for the installation of a conventional wastewater system, such designs, plans, and specifications shall allow for the installation of an accepted system in lieu of a conventional system in accordance with the accepted system approval.
- (6) In addition to the requirements of this section, the owner, the professional engineer designing the proposed wastewater system, and any on-site wastewater system contractors employed to construct or install the wastewater system shall comply with applicable federal, State, and local laws, regulations, rules, and ordinances.

(f) No Public Liability. – The Department, the Department's authorized agents, or local health departments shall have no liability for wastewater systems designed, constructed, and installed pursuant to a engineered option permit.

(g) Inspections, Construction Observations, and Reports. –

- (1) Site visits. – The local health department may, at any time, conduct a site visit of the wastewater system.
- (2) Construction observations. – The professional engineer who designed the wastewater system shall make periodic visits to the site, at intervals appropriate to the stage of construction, to observe the progress and quality of the construction and to determine, generally, if the construction is proceeding in accordance with the engineer's plans and specifications.
- (3) Special inspections. – The owner of the proposed wastewater system shall employ one or more approved special inspectors to conduct special inspections during the construction of the wastewater system. The professional engineer who designed the wastewater system, or the engineer's personnel, may function as an approved agency to conduct special inspections required by this subdivision. The professional engineer's personnel shall only operate as an approved agency for special inspections if the personnel can demonstrate competence and relevant experience or training. For purposes of this subdivision, experience or training shall be considered relevant when the documented experience or training is related in complexity to the same type of special inspection activities for projects of similar complexity and material qualities.
- (4) Inspection reports. – Approved special inspectors shall maintain and furnish all inspection records to the professional engineer who designed the wastewater system. The records shall indicate whether the work inspected was completed in conformance with the engineer's design and specifications. Any discrepancies identified between the completed work and the engineer's design shall be brought to the immediate attention of the on-site wastewater system contractor for correction. If discrepancies are not corrected, they shall be brought to the attention of the professional engineer who designed the wastewater system prior to completion of work. A final inspection report documenting the required special inspections and the correction of any identified discrepancies shall be provided to the professional engineer and the owner of the wastewater system for review at the post-construction conference required pursuant to subsection (j) of this section.

(h) Local Authority. – This section shall not relieve the owner or operator of a wastewater system from complying with any and all modifications or additions to rules adopted by a local health department to protect public health pursuant to G.S. 130A-335(c) that are required at the time the owner or operator submits the notice of intent to construct pursuant to G.S. 130A-336.1

G.S. 130A-336.1(b). The local health department shall notify the owner or operator of the wastewater system of any issues of compliance related to such modifications or additions.

(i) Operations and Management. –

- (1) The professional engineer designing the wastewater system shall establish a written operations and management program based on the size and complexity of the wastewater system and shall provide the program to the owner.
- (2) The owner shall enter into a contract with a water pollution control system operator certified pursuant to Part 1 of Article 3 of Chapter 90A of the General Statutes and who is selected from the list of certified operators maintained by the Division of Water Resources in the Department of Environment and Natural Resources for operation and maintenance of the wastewater system in accordance with rules adopted by the Commission.
- (3) The owner of the wastewater system shall be responsible for the continued adherence to the operations and management program established by the professional engineer pursuant to subdivision (1) of this subsection.

~~(j) Post-Construction Conference. – The professional engineer designing the wastewater system shall hold a post-construction conference with the owner of the wastewater system; the licensed soil scientist or licensed geologist who performed the soils evaluation for the wastewater system; the on-site wastewater system contractor, certified pursuant to Article 5 of Chapter 90A of the General Statutes, who installed the wastewater system; the certified operator of the wastewater system, if any; and representatives from the local health department and, as applicable, the Department. The post-construction conference shall include start-up of the wastewater system and any required verification of system design or system components.~~

(k) Required Documentation. –

- (1) At the completion of the post-construction conference conducted pursuant to subsection (j) of this section, the professional engineer who designed the wastewater system shall deliver to the owner signed, sealed, and dated copies of the engineer's report, which, for purposes of this subsection, shall include the following:
 - a. The evaluation of soil conditions and site features as prepared by either the licensed soil scientist or licensed geologist.
 - b. The drawings, specifications, plans, and reports of the wastewater system, including the statement of special inspections required pursuant to G.S. 130A-336.1(e)(3); the on-site wastewater system contractor's signed statement of responsibility required pursuant to G.S. 130A-336.1(e)(4); records of all special inspections; and the final inspection report documenting the correction of any identified discrepancies required pursuant to subsection (g) of this section.
 - c. The operator's management program manual that includes a copy of the contract with the certified water pollution control system operator required pursuant to subsection (i) of this section.
 - d. Any reports and findings related to the design and installation of the wastewater system.
- (2) Upon reviewing the professional engineer's report, the owner of the wastewater system shall sign and notarize the report as having been received.

(l) Reporting Requirements. –

- (1) The owner of the wastewater system shall submit the following to the local health department:

- a. A copy of the professional engineer's report required pursuant to G.S. 130A-336.1(k)(1).
- b. A copy of the operations and management program.
- c. The fee required pursuant to subsection (n) of this section.
- d. A notarized letter that documents the owner's acceptance of the system from the professional engineer.

(2) The owner of any wastewater system that is subject to subsection (d) of this section shall deliver to the Department copies of the engineer's report, as described G.S. 130A-336.1(k)(1).

~~(m)~~ (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.

~~(n)~~ (n) Fees. – The local health department may assess a fee for the engineered option permit of up to thirty percent (30%) of the cumulative total of the fees the department has established to obtain an improvement permit, an authorization to construct, and an operations permit for wastewater systems under its jurisdiction. The fee shall only be used by the department in support of its work pursuant to this section to conduct site inspections; support the department's staff participation at post-construction conference meetings; and archive the engineered permit with the county register of deeds or other recordation of the wastewater system as required.

(o) Change in System Ownership. – A wastewater system authorized pursuant to this section shall not be affected by change in ownership of the site for the wastewater system, provided both the site for the wastewater system and the facility the system serves are unchanged and remain under the ownership or control of the person owning the facility.

(p) Remedies. – Notwithstanding any other provision of this section or any other provision of law, owners; operators; professional engineers who utilize the engineered option permit, who prepare drawings, specifications, plans, and reports; licensed soil scientists; licensed geologists; and on-site wastewater system contractors employed for the construction or installation of the wastewater system shall be subject to the provisions and remedies provided to the Department and local health departments pursuant to Article 1 of this Chapter.

(q) Rule Making. – The Commission shall adopt rules to implement the provisions of this section.

~~(r)~~ (r) Reports. – The Department shall report to the Environmental Review Commission and the Joint Legislative Oversight Committee on Health and Human Services on or before January 1, 2017, and annually thereafter, on the implementation and effectiveness of this section. For the report due on or before January 1, 2017, the Department shall specifically study (i) whether the engineered option permit resulted in a reduction in the length of time improvement permits or authorizations to construct are pending; (ii) whether the engineered option permit resulted in increased system failures or other adverse impacts; (iii) if the engineered option permit resulted in new or increased environmental or public health impacts; (iv) an amount of errors and omissions insurance or other liability sufficient for covering professional engineers, licensed soil scientists, licensed geologists, and contractors who employ the engineered option permit; and (v) the fees charged by local health departments to administer the engineered option permit pursuant to subsection (n) of this section. The Department may include recommendations, including any legislative proposals, in its reports to the Commission and Committee. (2015-286, s. 4.14(c).)