

Report to the Environmental Review Commission

Pursuant to S.L. 2014-120, Sec. 29 REFORM AGENCY REVIEW OF ENGINEERING WORK

January 14, 2015

**Name of Local Government Unit: Metropolitan Sewerage
District of Buncombe County, NC**

Approved/delegated program subject to reporting requirements:

☐ Sedimentation/erosion control

☐ Stormwater

☒ Water/sewer

☐ Cross-connection

☐ 401 certifications

☐ Other Type program name

Ed Bradford

Signature of report preparer



January 7, 2015

Date

***Submit this report electronically to Mariah Matheson, Commission Assistant,
Environmental Review Commission, at Mariah.Matheson@ncleg.net.***

Name of local government unit: Metropolitan Sewerage District of Buncombe County, NC

***Please attach any written procedures that may have been developed to implement the provisions of this law. ***

☒ Check to indicate that this plan review program implemented procedures whereby plan reviewers distinguish between plan changes that are required by statutory or other legal authority and those that the reviewer offers as suggestions for improvement. Refer to S.L. 2014-120, Section 29.(b)(1) for further details about this requirement.

☒ Check to indicate that this plan review program identifies the statutory or regulatory authority for any revisions or requests for additional information that are required by the program in order to grant the requested plan permit, approval, or license. Refer to S.L. 2014-120, Section 29.(b)(2) for further details about this requirement.

☒ Check to indicate that this plan review program implemented procedures for local governments to follow when (1) a Professional Engineer submits a sealed design or practice that is not in the local government's guidance, manuals, or standard operating procedures, and (2) the submitting Professional Engineer requests additional internal review of that design or practice. Refer to S.L. 2014-120, Section 29.(c)(1) for further details about this requirement.

☒ Check to indicate that this plan review program established a procedure whereby the plan reviewer's supervisor OR the approving/delegating state agency can provide further review and oversight of these design details. Refer to S.L. 2014-120, Section 29.(c)(1) for further details about this requirement.

☒ Check to indicate that this plan review program either employs a Professional Engineer who can conduct further review of these innovative designs, or maintains a list of consulting Professional Engineers of the local government unit's choice that may conduct this review, if requested by and paid for by the submitting Professional Engineer. Refer to S.L. 2014-120, Section 29.(c)(1) for further details about this requirement.

☒ Check to indicate that this plan review program established an informal internal process to address disputes when a plan reviewer identifies a change to the plans as being "required" under a specific, identified legal authority. Refer to S.L. 2014-120, Section 29.(c)(2) for further details about this requirement.

☒ Check to indicate that this plan review program discontinued use of the word "engineer" in the job titles of all program employees whose responsibilities include review of plans in affected programs,

unless those employees hold Professional Engineer licenses. Refer to S.L. 2014-120, Section 29.(h) for further details about this requirement.

Name of local government unit: **Metropolitan Sewerage District of Buncombe County, NC**

☒ Check to indicate that this plan review program reviewed the titles of all employees conducting plan reviews for this program. Refer to S.L. 2014-120, Section 29.(h)(1) for further details about this requirement.

☐ Check to indicate that this plan review program proposed revisions to those employees' job titles in order to eliminate use of the word "engineer" when publicly identifying those employees, if those employees do not hold Professional Engineer licenses. Refer to S.L. 2014-120, Section 29.(h)(2) for further details about this requirement.

Additional information:

Regarding the above checklist items concerning job titles: MSD has never used the job title of "Engineer", when an individual has not obtained their engineering license. MSD was already in compliance with this requirement.

Please see attachments below, to document the new procedures required under this law.



Metropolitan Sewerage District

OF BUNCOMBE COUNTY, NORTH CAROLINA

Return Addressee

Re: Initial Plan Review Comment Letter – Project Name
MSD Project Number 20xxxxx

Dear Mr. _____:

MSD has reviewed the plans you submitted for the referenced project sealed on XX/XX/20XX for conformance with MSD standards. The following items are **REQUIRED** changes:

Regarding Engineering Matters:

Regarding Right of Way Matters:

The following items are Suggestions for Improvement. These items may help improve the project, but are not required for plan approval:

Regarding Engineering Matters:

No Suggestions.

Regarding Right of Way Matters:

No Suggestions.

Please revise the plans to address the required comments and resubmit four (4) sets of revised plans for further review and approval.

~ Protecting Our Natural Resources ~

If you have questions related these comments please contact me at (828)225-8289 or kjohnson@msdbc.org.

Sincerely,

Kevin F. Johnson
Planning and Development Manager
MSD Engineering Division



Metropolitan Sewerage District

OF BUNCOMBE COUNTY, NORTH CAROLINA

MSD Engineering Division

Planning & Development

Review Process of Non-Standard Engineering Designs from Outside Parties

- 1) Plans will be submitted to and reviewed by the Planning & Development (P&D) Section in accordance with regular procedures.
- 2) For non-standard items, the P&D Supervisor may request review and comment by other divisions, such as System Services, other engineers, and construction, for consideration of the various aspects of the non-standard item(s).
- 3) Comments will then be provided as part of the regular review process.
- 4) If a disagreement arises as part of the review, the Director of Engineering will review the non-standard request with the General Manager, and issue a final decision.

~ Protecting Our Natural Resources ~



Metropolitan Sewerage District

OF BUNCOMBE COUNTY, NORTH CAROLINA

MSD Engineering Division

Planning & Development

Informal Review Process for Outside Parties, in case of Disagreement

- 1) Plans will be submitted to and reviewed by the Planning & Development (P&D) Section in accordance with regular MSD procedures.
- 2) Comments will then be provided as part of the regular review process.
- 3) Should a disagreement arise as part of the review, the Director of Engineering will review the non-standard request with the General Manager (and other divisions as appropriate) and issue a decision.
- 4) Should the Permittee disagree with the decision made by the Director of Engineering, they may request a final review by the General Manager. The decision of the General Manager will be final.

~ Protecting Our Natural Resources ~