



Engineering and Environmental Services

MEMORANDUM

To: Mariah Matheson, Commission Assistant
Environmental Review Commission

From: Gudrun Parmer, Interim Director *Gudrun Parmer*
Engineering & Environmental Services

Date: January 14, 2015

Subject: **2015 Compliance Report per SL 2014-120, Section 29**
"Reform Agency Review of Engineering Work"

Per SL 2014-120, Section 29, the required report stating compliance with the law is attached. The report contains responses from the utilities and erosion control/stormwater (S&E) divisions within this department that apply to this law.

Attachment

cc: Chris Roberts, S&E Division Manager
Joseph R. Pearce, P.E., Utility Division Manager

GP/jld

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: Durham County Engineering,
S&E Division

Approved/delegated program subject to reporting requirements:

☒ Sedimentation/erosion control

☒ Stormwater

☐ Water/sewer

☐ Cross-connection

☐ 401 certifications

☐ Other Type program name

Chris Roberts, PE, S&E Division Manager

January 14, 2015



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

Name of local government unit: Durham County Engineering, S&E Division

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: Durham County Engineering, S&E Division

☒ 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:

- If the comment is ordinance or law required, the comment will start with "As required by ordinance/law (and state the ordinance/law itself such as UDO, Sec. ****)
- If the comment is policy or opinion that is not based on ordinance or law, then no info will be required.
- If a PE submits a plan detail that is not in our guidance manual (EC-NCDENR EC Manual, SW – NCDENR BMP Manual, then the reviewed will need to have your supervisor (Division Manager) review it first.
- If a submitter disagrees with a "require" comment, then that disagreement must be shared with the reviewer's supervisor (Division Manager) to resolve the situation.

Report to the Environmental Review Commission

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

January 14, 2015

Local Government Unit: *Durham County Utility Division*

Approved/delegated program subject to reporting requirements:

☐ Sedimentation/erosion control

☐ Stormwater


☐ Water/sewer

☐ Cross-connection

☐ 401 certifications

☒ Other

Pretreatment System Authorization to Construct Approval



Joseph Pearce PE, POTW Director

1/14/15

January 14, 2015

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Environmental Review Commission, at Mariah.Matheson@ncleg.net.

Name of local government unit: Durham County Utility Division

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Additional information: Revised Procedure is below:

Durham County Engineering and Environmental Services Pretreatment Program

Authorization to Construct Review Procedures

1. Compliance Manager receives PE sealed and signed construction plans and specifications and any applicable fees.
2. Compliance staff reviews submittals and prepares either a request for additional information or an approval letter. Additional information letters are to specify the issues based on one of three conditions:
 - a. Incomplete submittal,
 - b. Regulation, statute, or ordinance, or
 - c. Design/function suggestions.
3. For resubmittals, compliance staff shall determine if the issues have been resolved. If the issues are not resolved, compliance staff shall issue a second additional information letter specifying the issues based on one of three conditions:
 - a. Incomplete submittal,
 - b. Regulation, statute, or ordinance, or
 - c. Design/function suggestions.

The second additional information letter shall be addressed to the user and copied to the design consultant. The letter shall provide information regarding an informal review process with the Utility Division Manager/POTW Director who is also a registered NC Professional Engineer.

4. For the second resubmittal, compliance staff and the Utility Division Manager shall review the submittal. If the submittal is found to be deficient, it shall be denied. The denial letter will specify the Adjudicatory Hearing procedures of Durham County Section 26-132 (9).