

# 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:** City of Hendersonville

**Approved/delegated program subject to reporting requirements:**

☒ Sedimentation/erosion control

☒ Stormwater

☒ Water/sewer

☐ Cross-connection

☐ 401 certifications

☐ Other Type program name

**Brendan Shanahan**



**January 12, 2015**

**Date**

*Submit this report electronically to Mariah Matheson, Commission Assistant,  
Environmental Review Commission, at [Mariah.Matheson@ncleg.net](mailto:Mariah.Matheson@ncleg.net).*

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*\*\*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.

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☒ 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:**

Note: No employees conducting plan reviews who do not hold Professional Engineering licenses have job titles containing the word "engineer". Therefore, no such revisions were necessary.

The City of Hendersonville by resolution has Henderson County Soil Erosion and Sedimentation Control Program enforce our delegated program. See the following for the procedures.

Does this program have procedures in place to ensure that only requirements are addressed; not suggestions? \*Henderson County Staff will identify only required items and will reference the statutory or regulatory authority for each requirement.

When a Professional Engineer submits a plan that has a practice that is not listed and/or the Professional Engineer requests additional internal review does this agency have procedures set up? \*If the Professional Engineer requests additional internal review, staff will have the supervisor review and oversee these details of the project.

\*Henderson County employs a Professional Engineer for plan reviews and employs another Professional Engineer who is the supervisor who performs oversight when necessary.

Does this program have informal internal procedures in place to settle disputes when they arise? \*The supervisor will review any dispute which arises out of plan reviews from any required items requested.

Has this program checked to see if the use of the word "Engineer" has been discontinued in job title of employees who are not engineers? \*Yes, the employees who perform plan review and supervise are professional engineers.

Has this program reviewed job titles of all employees to eliminate the word "engineer" when publicly identifying those employees, if they do not hold a professional engineer license? \*Yes, both employees hold a professional engineers license.