

Randolph County Health Department

Environmental Health

204 East Academy Street

Asheboro, NC 27203



Phone (336) 318-6262

Fax (336) 318-6265

SL 2014-120 Section 29 (b) Report Randolph County Environmental Health

This report is in reference to Session Law 2014-120 Section 29 (b) requirements

Part 1A: On-site Water Protection: Standardize Certain Regulatory Review Procedures

- I. Systems with design daily flows $\geq 3,000$ total gallons per day [15A NCAC 18A .1938(e)] or for treatment of industrial process wastewater (IPWW) [15A NCAC 18A .1938(f)].
 - A. Receive application. Applications received at Central Permitting location according to appropriate policy and procedures. NC DHHS Large System Protocol is used based on design daily flow.
 - B. The application is selected for evaluation in order of submittal date
 - C. The applications are evaluated by Environmental Health Specialist; Environmental Health Supervisor assists when necessary
 - D. Notify the OSWP Branch regarding need for review and convey materials to the OSWP Branch; Submitting Party may submit directly to the OSWP Branch
 - E. Assist the State with processes outlined in Part 1A, Section I of the State report
- II. Design plans and specifications pursuant to Rule .1938(f)
 - A. Receive application. Applications received at Central Permitting location according to appropriate policy and procedures.
 - B. File a Request for Review describing which elements of the Submittal the OSWP Branch should review.
 - C. Convey the Regulatory Submittal and Request to Review to the OSWP Branch.
 - D. Assist the OSWP Branch with processes outlined in Part 1A, Section II.B of the State report

III. Design daily flow review pursuant to Rule .1949

- A. Receive application. Applications received at Central Permitting location according to appropriate policy and procedures.
- B. File Request for Review for a proposal submitted based on Rule .1949 and convey it to the OSWP Branch with the Regulatory Submittal.
- C. Assist the OSWP Branch with processes outlined in Part 1A, Section II.A of the State report

IV. Design plans and specifications pursuant to Rule .1948(d)

- A. Receive application. Applications received at Central Permitting location according to appropriate policy and procedures.
- B. File Request for Review for a proposal submitted based on Rule .1948(d) and convey it to the OSWP Branch with the Regulatory Submittal.
- C. Assist the OSWP Branch with processes outlined in Part 1A, Section II.C of the State report

V. Design plans and specifications for flow reduction utilizing low-flow fixtures or low-flow technologies pursuant to Session Law 2013-413 or 2014-120. *(The procedure below is for reviews conducted on the local level only.)*

- A. Receive application. Applications received at Central Permitting location according to appropriate policy and procedures.
- B. Conduct Review.
- C. Provide a response to the Submitting Party that includes:
 - a. *An approval of the system* engineering plans and specifications, or
 - b. *A request for revisions* that include:
 - (a) A section detailing any required revisions with citation of applicable statute or rule(s);
 - (b) A section detailing any suggested or recommended revisions based upon current knowledge base (guidance, manuals or standards of practice).
 - c. *A request for additional information*, if needed, that includes but not limited to:
 - (a) A section detailing any required additional information with citations of applicable statute or rule(s) and;
 - (b) A section detailing any suggested additional information based upon current knowledge base (guidance, manuals, or standards of practice) and;

- (c) Detailed listing of fixtures and practices that will be used in the facility to achieve flow reduction.

Part 1B: Food Protection and Facilities: Standardize Certain Regulatory Review Procedures

- I. Design plans and specifications for Food Protection Facilities and Public Swimming Pools are reviewed in accordance with the Randolph County Food and Lodging Plan Review Policy. The procedure is below.
 - A. Receive plan and determine whether it must be reviewed locally or has been reviewed at the state level.
 - 1. If the plan has been approved as a prototype plan at the state level, obtain a copy of the approval letter and application. Give a copy of the State Approval letter to the Building Inspector. Skip to Step F.
 - 2. If the plan must be reviewed locally follow steps B-G.
 - B. Verify which set of sanitation rules applies. Make sure that the following are submitted:
 - 1. Fee for review if applicable
 - 2. Completed application if applicable
 - 3. Menu
 - 4. Equipment list

Review plan using applicable set of sanitation rules, calculation tools and guides provided by State Plan Review Section.
 - C. Provide a response to the Submitting Party that includes:
 - a. *An approval or conditional approval of the system engineering plans and specifications, or*
 - b. *A request for revisions* that include:
 - (a) A section detailing any required revisions with citation of applicable statute or rule(s);
 - (b) A section detailing any suggested or recommended revisions based upon current knowledge base (guidance, manuals or standards of practice).
 - c. *A request for additional information* that includes:
 - (a) A section detailing any required additional information with citations of applicable statute or rule(s) and;
 - (b) A section detailing any suggested additional information based upon current knowledge base (guidance, manuals, or standards of practice).

- D. Consult with applicant, contractor, building inspector, licensing consultants or other licensing agency as needed to resolve any problems.
- E. Issue letter of approval.
- F. Document the plan approval in the plan review log. Follow up with construction visits to verify that it complies with the approved plan. Document these visits in the plan review log.
- G. Make the final inspection to issue permit or submit first inspection for licensing (ex: Division of Health Service Regulation, Division of Child Development).

**Part 2A: On-site Water Protection Informal Internal Review Processes
and
Procedures to Develop and Maintain a List of Review Engineers**

- I. Informal Internal Review Process: North Carolina Session Law 2014-120, Section 29(c) identifies two circumstances that allow a Submitting Party to request an Informal Internal Review of the LHD or OSWP review:
 - a. The Regulatory Submittal includes a design or practice sealed by a PE that is not included in the Regulatory Authority's existing guidance, manuals or standard operating procedures.
 - i. LHD Staff review the Regulatory Submittal.
 - 1. If requested by the Submitting Party, informal review will be conducted by
 - a. Reviewer's supervisor or,
 - b. A staff engineer (NC licensed PE) or,
 - c. OSWP Branch
 - 2. If neither the LHD nor OSWP Branch employs a NC licensed PE that is qualified and competent to perform the review, then:
 - 3. Review may be provided by a consulting NC licensed PE selected from a list developed and maintained by the Regulatory Authority in accordance with Article 3D of Chapter 143 of the North Carolina General Statutes.
 - 4. The Regulatory Authority may charge the Submitting Party for costs of the review by the consulting NC licensed PE.
 - 5. The OSWP Branch will notify the LHD, the Submitting Party and other applicable parties of the decision reached during the Informal Internal Review process.
 - 6. The LHD will notify the Submitting Party and other applicable parties of the decision reached during the Informal Internal Review process.
 - 7. The LHD has the authority to make the final decision, even if review of the Regulatory Submittal is conducted by a consulting NC licensed PE.
 - b. There is a disagreement between the reviewer of the Regulatory Submittal and the Submitting Party regarding whether statute or other regulatory authority mandates the revisions or requests for additional information made by the Regulatory Authority.

- i. In these cases, the Regulatory Authority will conduct an informal hearing with one of the following groups, as appropriate:
 - 1. A review panel including LHD personnel, County Legal Department Representatives, Stakeholders representative(s) chosen by the Submitting Party and others as appropriate.
- II. Procedure For Developing and Maintaining a List of PEs for Informal Internal Reviews
 - a. Randolph County Environmental Health will utilize the OSWP Branch list of PE's for informal reviews in accordance with SL 2014-120 Report DHHS DPH EHS Part 2A, IV. Procedure for Developing and Maintaining a List of PE's for Informal Internal Reviews.
 - b. Randolph County Environmental Health will use OSWP Branch website for this list in accordance with SL 2014-120 Report DHHS DPH EHS Part 2A, Section IV.

**Part 2B: Food Protection and Facilities Informal Internal Review Processes
and
Procedures to Develop and Maintain a List of Review Engineers**

- I. If a Submitting Party requests an Informal Internal Review of an engineered design, the request will be forwarded to the State in accordance with Part 2B Section II of the State report.
- II. Procedure For Developing and Maintaining a List of PEs for Informal Internal Reviews
 - A. Randolph County Environmental Health will utilize the Food Protection and Facilities Branch list of PE's for informal reviews in accordance with SL 2014-120 Report DHHS DPH EHS Part 2B, Section III Procedure for Developing and Maintaining a List of PE's for Informal Internal Reviews.
 - B. Randolph County Environmental Health will use Food Protection and Facilities Branch website for this list in accordance with SL 2014-120 Report DHHS DPH EHS Part 2B, Section III.

Part 3A: Onsite Water Protection Review of Working Job Titles

- I. The working titles and position descriptions of all Randolph County staff who review Regulatory Submittals for Onsite Water Protection were reviewed with Randolph County Human Resources. No Environmental Health positions have engineer in the title. All positions and titles subject to review Regulatory Submittals are listed below:
 - A. Environmental Health Supervisor
 - B. Environmental Health Specialist

Part 3B: Food Protection and Facilities Review of Working Job Titles

- I. The working titles and position descriptions of all Randolph County staff who review Regulatory Submittals for Food Protection and Facilities were reviewed with Randolph County Human Resources. No Environmental Health positions have engineer in the title. All positions and titles subject to review Regulatory Submittals are listed below:
 - A. Environmental Health Supervisor
 - B. Environmental Health Specialist

Randolph County Reference documents available upon request:

- A. Randolph County Environmental Health Groundwater Protection Policy and Procedure Manual
- B. Randolph County Food and Lodging Policy and Procedure