

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 Wilmington

Approved/delegated program subject to reporting requirements:

☐ Sedimentation/erosion control

☒ Stormwater

☐ Water/sewer

☐ Cross-connection

☐ 401 certifications

☐ Other Type program name

Derek R. Pielech, P.E.



1/13/15

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Submit this report electronically to Mariah Matheson, Commission Assistant,
Environmental Review Commission, at 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:



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NOVEMBER 2014

Review of Engineering Work Procedures in accordance with S.L. 2014-120, Section 29

ENGINEERING POLICY AND REQUIREMENTS

In accordance with the above referenced Law, the following procedures outline how the City intends to implement and follow through with the new review and reporting requirements.

1. Section 29.(b)(1) & Section 29.(b)(2) Identify “required” versus “suggested” changes

It has always been the practice of the Engineering Division to identify which comments are simply suggestions and which comments are statutory revisions. However, each comment that requires a statutory revision must now be accompanied by the corresponding statutory regulation. The corresponding statutory regulation shall be referenced in parenthesis and include the Law #, Section, and paragraph.

Any comments that are not required by statutory regulation shall be identified as “Suggested” or “Note Only”

2. Section 29.(c)(1) Innovative Designs involving a Professional Engineer

This provision is covered by the section of our Comprehensive Stormwater Ordinance that requires all new submittals to go through a pre-application meeting prior to formal submittal. It shall be during this pre-application meeting that the informal internal review of any innovative or alternative designs will be reviewed by the reviewing employee’s supervisor. Because all personnel in the City involved with engineering plan review is required to be a professional engineer, the remainder of the section is not applicable.

3. Section 29.(c)(2) Disputes involving required changes

Due to the probability this issue will most likely arise after the pre-application meeting, the process for escalating any disputes between what may be perceived as “required” shall follow a simple up-line supervisor informal review process. Therefore, in the event of a dispute the Submitting Party can request a review of the issue by the employee’s supervisor. Once the employee’s supervisor receives the request, he/she will review any necessary submittal documents to familiarize themselves with the project, review the issue in question with respect to any regulatory or statutory requirement, and issue a determination based on this review. The upline review must include any cross-referenced sections of the Code.

4. Section 29.(h)(1) Review of Working Job Titles

Via position description, all personnel involved in plan review activities are required to be professional engineers.

5. Section 29.(h)(2) Review of Working Job Titles

Via position description, all personnel involved in plan review activities are required to be professional engineers.