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March 7, 2019

TO: UST Staff & NC Environmental Service Providers

FROM: William F. Hunneke, Trust Fund Branch Head *WFH*
Scott Bullock, Corrective Action Branch Head *SB*

THROUGH: Z. Vance Jackson, Jr., UST Section Chief *ZVJ*

RE: **Clarifications from the NC Board of Engineers**

In accordance with G.S. 89C-3(6) and the NC Board of Examiners for Engineers and Surveyors, the review and generation of calculations for the determination of an engineered system performance is the practice of engineering and requires a PE seal and licensed firm. In consequence of this determination, all Engineering Corrective Action Plans (CAPs), Performance Reports (CAPRs), New Technology Cleanup Plans (NTCPs), and System Enhancement Recommendation Reports (SERRs) must be produced and sealed by a NC licensed professional engineer (PE). The UST Section will no longer accept any of the above-mentioned reports that do not meet these requirements.

An additional point of clarification concerning sub-contracted engineering services; an engineer who is hired as a sub-contractor to a company cannot attest that work done by the contracting company's employees was done under the sub-contracted PE's responsible charge and license. The sub-contracted PE may attest only if the PE personally conducted the work, or the sub-contracted engineer's employees or sub-contracted engineering firm's employees conducted the work that is being sealed. The requirements for responsible charge can be found in Board rule 21-56.0701(c)(3). The UST Section will no longer accept sealed documents that do not meet these requirements.

If there are any questions regarding whether the work that is being conducted requires an engineer or engineering seal, and the requirements for claiming responsible charge, it is your responsibility to contact the NC Board of Examiners for Engineers and Surveyors at www.ncbels.org.