

PART IN-504 – SPECIAL INVESTIGATIONS, STUDIES, AND REPORTS  
SUBPART A – PROBLEMS AND DEFICIENCIES

IN504.08 Indiana Procedure for Handling Engineering Problems and Deficiencies

(a) Scope

(1) An investigation should be made and a report prepared whenever an engineering practice fails or functions in a manner that defeats the conservation purpose for which it was installed. An investigation should also be initiated when there are signs of potential failure such as undue settlement, unusual deterioration or cracking of concrete, severe erosion, seepage or leaking. This is particularly important for engineering practices where failure could affect human health and safety or have severe environmental consequences. This would include practices such as ponds, dams and waste storage facilities.

(2) Minor problems that are the result of poor vegetative establishment or are the result of normal weather events that occur during vegetative establishment do not need to be handled by this process. Such minor problems should be corrected at the field level through consultation with appropriate specialists.

(b) Reporting of Problems and Deficiencies

(1) It is the responsibility of all field employees to report problems or deficiencies with engineering practices when they are observed. The report should be made to the DC responsible for the county. The DC shall send a copy of the report to the appropriate Assistant State Conservationist for Field Operations (ASTC-FO). Reports should be initiated within 10 days of the discovery of the problem. If the problem is suspected to be caused by severe weather, documentation of the storm event should be provided with initial report. If the problem presents a threat to human health and safety or to the environment the State Conservation Engineer (SCE) shall be notified immediately as well. If the situation poses an imminent threat to human health and safety or threat to the environment, notification should be made by the fastest means possible.

(c) Investigating Committee

(1) The responsible ASTC-FO in whose area the problem has occurred shall immediately consult with the SCE to determine if the situation warrants the appointment of an investigating committee. Not every problem that is reported will need to be investigated and not every problem that is investigated will be a deficiency. For job Classes I through IV the responsible ASTC-FO, in consultation with the SCE shall appoint the investigating committee by letter within 10 calendar days of notification and carbon copy the SCE, the Area Engineer, the DC of the associated county and the appointees' supervisors. Upon receiving a copy of the official assignment letter, the DC shall provide a copy of the letter shown in Exhibit 1 to the landowner.

(2) The make up of the committee should reflect the complexity of the practice involved. For simple, commonly used practices, the committee may only consist

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of one engineer. For more complex practices the committee should consist of the appropriate specialists necessary to understand the problem. Committee members should not have had any significant participation in the design, construction or approval of the practice. Once the investigation committee is assigned, the practice will be added to the SCE engineering practice failure tracking spreadsheet.

(3) For job Classes V and VI the State Conservationist in consultation with the SCE shall appoint an investigating committee and a chair of the committee. Depending upon the complexity of the situation it may be necessary to arrange for engineers or specialists from outside the state to serve on the committee.

(4) For job Classes VII and VIII the State Conservationist in consultation with the Director of the Conservation Engineering Division shall appoint an investigating committee and a chair of the committee. For jobs of this complexity, the investigating committee will generally be made up of engineers and specialists from outside the state.

(5) For job Classes V – VIII, the timeframes for appointment of the committee and notifications shall be the same as outlined previously for job Classes I-IV.

(d) Investigation and Reporting Procedures

(1) Investigation of problems and deficiencies shall follow the procedures and techniques outlined in the National Engineering Manual Section (NEM) 504.04. The report shall determine if the problem is the result of a deficiency on the part of NRCS or a partner organization or is the result of weather, contractor error or other reason not under the control of NRCS. For job Classes I-IV the investigation shall be started within 30 days and a written report shall be prepared by the committee within 90 days of assignment. For job Classes V-VIII a written report shall be prepared by the committee within 120 days of assignment. The detail and composition of the report shall be commensurate with the size, complexity and significance of the problem. The composition of the report shall follow the guidance in NEM Section 504.05.

(e) Review and Acceptance of Report

(1) For job Classes I – IV reports shall be submitted to the SCE for review and technical acceptance. The SCE shall review the report for technical adequacy. The SCE shall work with the investigating committee to correct any technical inadequacies in the report. Upon acceptance of the technical aspects of the report the SCE shall consult with the responsible ASTC-FO on any personnel or training issues presented by the report. Upon agreement between the SCE and the responsible ASTC-FO on personnel and training issues, the report shall be sent to the State Conservationist with a cover letter. The cover letter shall be completed by the SCE and shall provide recommendations for acceptance of the report, any additional technical recommendations and any personnel or training actions that need to take place. The SCE review and cover letter shall be completed within 15 calendar days of receiving the investigation committee report.

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(2) The State Conservationist will review the report and recommendations. The State Conservationist will consult with the SCE and responsible ASTC-FO concerning the report and recommendations for actions. Upon acceptance of the report, the State Conservationist will report actions to be carried out to the ASTC-FO, the SCE, the SAO, the Area Engineer, the DC of the associated county and the committee chair of the investigation. Normally, this would include forwarding the investigation and cover letter from the SCE with an additional cover letter from the State Conservationist. These copies can be provided electronically. In addition, the State Conservationist shall direct the Budget Officer to obligate funds if necessary to cover the cost of any corrections. Any corrective work needed on NRCS administered programs will be funded by the affected program. Finally, a letter shall be sent to the landowner from the State Conservationist explaining the outcome of the deficiency investigation. The State Conservationist's review and report should be completed within 30 days of receiving SCE report.

(3) For job Classes V – VIII, the SCE shall consult with the Director of the Conservation Engineering Division to determine when the report is technically acceptable. Upon acceptance of the report, the State Conservationist will report actions to be carried out to the ASTC-FO, the SCE, the SAO, the Area Engineer, the DC of the associated county and the committee chair of the investigation. Normally, this would include forwarding the investigation and cover letter from the SCE with an additional cover letter from the State Conservationist. These copies can be provided electronically. In addition, the State Conservationist shall direct the Budget Officer to obligate funds if necessary to cover the cost of any corrections. Finally, a hardcopy letter shall be sent to the landowner explaining the outcome of the deficiency investigation. The State Conservationist's review and report should be completed within 30 days of receiving SCE report.

(f) Tracking of Implementation of the Report and Recommendations

(1) The appropriate ASTC-FO will be responsible for carrying out the actions required by the report. The ASTC-FO will work with the SAO on contracting procedures for correcting the deficiency to ensure that any remedial work recommended by the report is carried out in a timely manner. The ASTC-FO will ensure that any training or disciplinary actions agreed to by the State Conservationist are carried out in a timely manner and reported to the SCE for tracking. The SCE will track the progress of all reported problems. A report will be provided to the State Conservationist quarterly.

(2) Items listed on the State Conservation Engineer's engineering practice failure tracking spreadsheet shall include specific reasons for each deficiency as may have been caused by NRCS, a Partner, the contractor, the landowner or an Act of God. The spreadsheet shall document actions taken, costs of implementation, dates of deficiency reporting and other pertinent information as seen necessary by the State Conservationist or the State Conservation Engineer. The engineering practice failure tracking spreadsheet will be sent quarterly or as needed by the SCE to the State

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Conservationist and ASTC-FO for review and to provide updates on the status of various projects.