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DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

INTRADEPARTMENTAL CORRESPONDENCE

August 26, 2022

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MEMORANDUM

TO: ASSISTANT DISTRICT ADMINISTRATOR - OPERATIONS

FROM: HAYLYE BROWN, P.E. *HB*
STRUCTURES & FACILITIES ENGINEER ADMINISTRATOR

RE: SNBI CHANGES TO CRITICAL FINDINGS

The purpose of this memorandum is to serve as notification of the new guidelines for Critical Findings based on the final NBIS regulations effective June 6, 2022.

Notable changes:

1. Any Superstructure or Substructure condition rating of 3 or less that is caused by a Fracture Critical Member will now be considered a Critical Finding. (NSTM Inspection item, coded three (3) or less).
2. FHWA must be notified within 24 hours of each Critical Finding on the NHS.

Policy for Critical Findings:

Any deck, superstructure, substructure, channel or culvert component (NBI 58-62) rated 2 or less or any superstructure or substructure component (NBI 59-60) to be rated 3 or less if the condition is caused by a Fracture Critical Element shall be considered a Critical Finding. If the bridge is on the NHS, HQ Inspection must be notified immediately via e-mail. Stephanie.Doolittle@la.gov and Haylye.Brown@LA.GOV Please see attached for more information on the final rule and our updated critical findings process flowchart.

Should you have any questions, please contact Stephanie Doolittle at (225) 379-1329.

HGB: SSD

Cc: Mr. David Miller
Mr. Todd Donmyer

Side-by-Side Comparison between Previous Regulation and Final Rule

NBIS 2004 Regulation with 2009 Update	NBIS 2022 Final
(e)(3) Bridges that are scour critical. Prepare a plan of action to monitor known and potential deficiencies and to address critical findings.	(2) For bridges which are determined to be scour critical or have unknown foundations, prepare and document a scour POA for deployment of scour countermeasures for known and potential deficiencies, and to address safety concerns. The plan must address a schedule for repairing or installing physical and/or hydraulic scour countermeasures, and/or the use of monitoring as a scour countermeasure. Scour plans of actions should be consistent with HEC 18 and 23.
(e) (3) [...] Monitor bridges that are scour critical in accordance with the plan.	(3) Execute action in accordance with the plan.
(g) <i>Quality control and quality assurance.</i> Assure systematic quality control (QC) and quality assurance (QA) procedures are used to maintain a high degree of accuracy and consistency in the inspection program.	(p) <i>Quality control and quality assurance.</i> (1) Assure systematic QC and QA procedures identified in Section 1.4, AASHTO Manual (incorporated by reference, see § 650.317) are used to maintain a high degree of accuracy and consistency in the inspection program.
(g) [...] Include periodic field review of inspection teams, periodic bridge inspection refresher training for program managers and team leaders, and independent review of inspection reports and computations.	(2) Document the extent, interval, and responsible party for the review of inspection teams in the field, inspection reports, NBI data, and computations, including scour appraisal and load ratings. QC and QA reviews are to be performed by personnel other than the individual who completed the original report or calculations.
	(3) Perform QC and QA reviews and document the results of the QC and QA process, including the tracking and completion of actions identified in the procedures.
	(4) Address the findings of the QC and QA reviews.
(h) <i>Follow-up on critical findings.</i> Establish a statewide or Federal agency wide procedure to assure that critical findings are addressed in a timely manner. Periodically notify the FHWA of the actions taken to resolve or monitor critical findings.	(q) Critical findings. (1) Document procedures to address critical findings in a timely manner. Procedures must:
	(i) Define critical findings considering the location and the redundancy of the member affected and the extent and consequence of a deficiency. Deficiencies include, but are not limited to scour, damage, corrosion, section loss, settlement, cracking, deflection, distortion, delamination, loss of bearing, and any condition posing an imminent threat to public safety. At a minimum, include findings which warrant the following:

Side-by-Side Comparison between Previous Regulation and Final Rule

NBIS 2004 Regulation with 2009 Update	NBIS 2022 Final
	<p>(A) Full or partial closure of any bridge;</p> <p>(B) An NSTM to be rated in serious or worse condition, as defined in the NBI (see § 650.315) by the NSTM Inspection item, coded three (3) or less;</p> <p>(C) A deck, superstructure, substructure, or culvert component to be rated in critical or worse condition, as defined in the NBI (see § 650.315) by the Deck, Superstructure, or Substructure Condition Rating items, or the Culvert Condition Rating item, coded two (2) or less;</p> <p>(D) The channel condition or scour condition to be rated in critical or worse condition as defined in the NBI (see § 650.315) by the Channel Condition Rating or Scour Condition Rating items, coded critical (2) or less; or</p> <p>(E) Immediate load restriction or posting, or immediate repair work to a bridge, including shoring, in order to remain open.</p>
	<p>(ii) Develop and document timeframes to address critical findings identified in paragraph (q)(1)(i) of this section.</p>
	<p>(2) State transportation departments, Federal agencies, and Tribal governments must inform FHWA of all critical findings and actions taken, underway, or planned to resolve critical findings as follows:</p>
	<p>(i) Notify FHWA within 24 hours of discovery of each critical finding on the National Highway System (NHS) as identified in paragraph (q)(1)(i)(A) and (B) of this section;</p>

Side-by-Side Comparison between Previous Regulation and Final Rule

NBIS 2004 Regulation with 2009 Update	NBIS 2022 Final
	<p>(ii) Provide monthly, or as requested, a written status report for each critical finding as identified in paragraph (q)(1)(i) of this section until resolved. The report must contain:</p> <ul style="list-style-type: none"> (A) Owner; (B) NBI Structure Number; (C) Date of finding; (D) Description and photos (if available) of critical finding; (E) Description of completed, temporary and/or planned corrective actions to address critical finding; (F) Status of corrective actions: Active/Completed; (G) Estimated date of completion if corrective actions are active; and (H) Date of completion if corrective actions are completed.
	<p>(r) <i>Review of compliance.</i> Provide information annually or as required in cooperation with any FHWA review of compliance with this subpart.</p>
§ 650.315 Inventory.	§ 650.315 Inventory.
<p>(a) Each State or Federal agency must prepare and maintain an inventory of all bridges subject to the NBIS. Certain Structure Inventory and Appraisal (SI&A) data must be collected and retained by the State or Federal agency for collection by the FHWA as requested. A tabulation of this data is contained in the SI&A sheet distributed by the FHWA as part of the “Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation’s Bridges,” (December 1995) together with subsequent interim changes or the most recent version. Report the data using FHWA established procedures as outlined in the “Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation’s Bridges.”</p>	<p>(a) Each State transportation department, Federal agency, or Tribal government must prepare and maintain an inventory of all bridges subject to this subpart. Inventory data, as defined in § 650.305, must be collected, updated, and retained by the responsible State transportation department, Federal agency, or Tribal government and submitted to FHWA on an annual basis or whenever requested. For temporary bridges open to traffic greater than 24 months, inventory data must be collected and submitted per this section. Inventory data must include element level bridge inspection data for bridges on the NHS collected in accordance with the “Manual for Bridge Element Inspection” (incorporated by reference, see § 650.317). Specifications for collecting and reporting this data are contained in the “Specifications for the National Bridge Inventory” (incorporated by reference, see § 650.317).</p>

Process for Critical Findings

Critical Finding results in Item 58, 59, 60, 61 or 62 coded 2 or less or Items 59 or 60 coded 3 or less if condition drop is caused by a Fracture Critical Element. Element level data should have proper notes and quantity in CS 4 (or at minimum CS 3) corresponding to the Item with the Critical Finding.

Photos of defect should always be included.

Do Not Change Item 60 based on Item 113 coding unless scour found in the field would result in a bridge closure or safety issue if not addressed. (This policy is no longer in place and will be removed from the manual in the next revision.)

**If the Bridge is on the NHS, Notify HQ immediately via email.
FHWA must be notified within 24 hours.**

Stephanie.Doolittle@la.gov

Haylye.Brown@LA.GOV

You discovered a Critical Finding. Are you closing the bridge?		
Are you closing the bridge permanently until it can be replaced?		NO
Are you closing the bridge until it can be repaired and re-opened?		NO
Code Item 58-61 or 62 = 2 and Item 41 (if REQ). Explain the critical finding and plan of action in Inspection Notes, include photos. Send to Stephanie Doolittle for approval.		
This is an Off-System bridge. Do I need to do anything differently?		
Send the Critical Findings letter to the Parish in addition to the steps above. Put a copy of the letter in Assetwise Pictures/Files tab of your inspection and response from parish if available.		
The bridge has been repaired. Now what?		
Was this a permanent repair that resolved the Critical Finding?		NO
Do you have plans to make a permanent repair in the near future?		YES
Create an Inventory Update. Do not change Item 41, 58-61, or 62. Add notes describing repair and photos showing repair. Note that repair is temporary until a permanent repair/replacement. Send to Stephanie Doolittle for approval.		
Do not allow the parish to re-open the bridge following repair without proper documentation, photos, and a load rating. If a parish does not respond to a critical finding or opens a bridge without approval = Non-Compliance.		