



# SENATE BILL 105: 2021 Appropriations Act, Sec. 12.10: Dam Safety Emergency Fund

2021-2022 General Assembly

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<b>Committee:</b>		<b>Date:</b>	February 21, 2022
<b>Introduced by:</b>		<b>Prepared by:</b>	Aaron McGlothlin
<b>Analysis of:</b>	Sec. 12.10 of S.L. 2021-180		Staff Attorney

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**OVERVIEW:** *Section 12.10 of S.L. 2021-180 establishes the Dam Safety Emergency Fund within the Department of Environmental Quality (DEQ) for the purpose of developing and implementing an emergency dam safety remedial plan.*

*These funds must be used upon DEQ's determination that sufficient funds or corrective action cannot be obtained from other sources without incurring a delay that would significantly increase the threat to life or risk of damage to property of the environment. Costs of site investigation and the development and implementation of an emergency dam safety remedial plan, including attorney's fees and other expenses of bringing the cost recovery action, may be recovered from the owners of the dam by appropriate legal action by the Environmental Management Commission. Funds recovered pursuant to this section must be used to reimburse the Dam Safety Emergency Fund.*

*Section 5.9.(a)(8) of this act allocates \$4 million to the Dam Safety Emergency Fund to be administered by DEQ for costs associated with the emergency repair or removal of dams.*

*This section became effective July 1, 2021.*

Jeffrey Hudson  
Director



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