



SENATE BILL 531: Dam Safety Law Clarification.

2023-2024 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	April 19, 2023
Introduced by:	Sen. Hise	Prepared by:	Aaron McGlothlin
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *Senate Bill 531 would allow projects for the repair or alteration of high-hazard, pre-1968 dams to be approved by the Department of Environmental Quality (DEQ) on the basis of phased compliance with the requirements of the Dam Safety Law of 1967 and rules adopted to implement that law.*

CURRENT LAW: The Dam Safety Law of 1967 generally requires DEQ approval before conducting repairs or alterations on dams. An application to DEQ to repair or modify a dam must state the name and address of the applicant, describe the proposed changes the project seeks to effect, and include maps, plans, specifications, and other such information as required by DEQ. All projects involving the construction, repair, alteration, or removal of a dam must be designed and supervised by a professionally licensed engineer.

BILL ANALYSIS:

Section 1.(a) of this bill would define "phased compliance eligible dam" as a dam that is (i) classified by DEQ as high hazard; (ii) constructed prior to January 1, 1968; and (iii) not owned by a unit of local government, special district, or public authority.

Section 1.(b) of this bill would prohibit DEQ from withholding approval of an application for repair or alteration of a phased compliance eligible dam based solely on the fact that the repair or alteration would not fully meet the requirements of the Dam Safety Law and rules adopted to implement that law, provided that the proposed repair or alteration project (i) neither increases the height or impoundment capacity of the dam, (ii) nor increases the risk to human life or property.

EFFECTIVE DATE: This bill would be effective when it becomes law and apply to applications for repair or alteration received by DEQ on or after that date.

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Legislative Analysis
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