

Resource Contact: Dam Safety Office

Effective Date: 07-01-91

References: RCW 43.21A.064
RCW 43.27A.190
RCW 90.03.350
Chapter 173-175 WAC

Revised: 07-01-1999

**DAMS CONSTRUCTED WITHOUT PRIOR DSO APPROVAL OF PLANS AND SPECIFICATIONS
(RECENT CONSTRUCTION)**

POLICY STATEMENT:

Any dam which has been recently constructed without prior approval of construction plans and specifications and without DSO construction inspections is in violation of RCW 90.03.350 and will be presumed to be a public nuisance. The owner will not be allowed to fill the reservoir until the structural integrity and safety of the facility can be demonstrated to the satisfaction of the DSO. As-Built drawings will be required from the owner to document the layout of the project, but no DSO "Approved for Construction" Stamp will be issued for As-Built plans in this situation (Policy POL 5205).

The applicable regional office of Water Resources will be notified about the existence of the structure. The DSO will coordinate actions with the regional office to assure that both safety and water right concerns are addressed.

DISCUSSION:

This is a direct implementation of RCW 90.03.350 and WAC 173-175-620(2). No facility should be allowed to be put in service which has unknown or unverified structural integrity. Likewise, issues related to water rights must be resolved prior to allowing the facility to be put in service.

PROCEDURES:

The owner of the facility will be informed that the reservoir cannot be filled until the safety of the structure has been adequately demonstrated and the water rights issues are resolved. If the owner does not voluntarily comply with the reservoir filling restriction, a regulatory order and/or fines will be issued in accordance with RCW 43.27A.190, citing violation of RCW 90.03.350, and precluding the owner/operator from filling the reservoir.

The DSO will proceed as described below and shown in Figure 1 to resolve the problem.

Step 1. The DSO will conduct a surficial inspection of the facility and review available plans and construction documentation to assess the seriousness of any deficiencies.

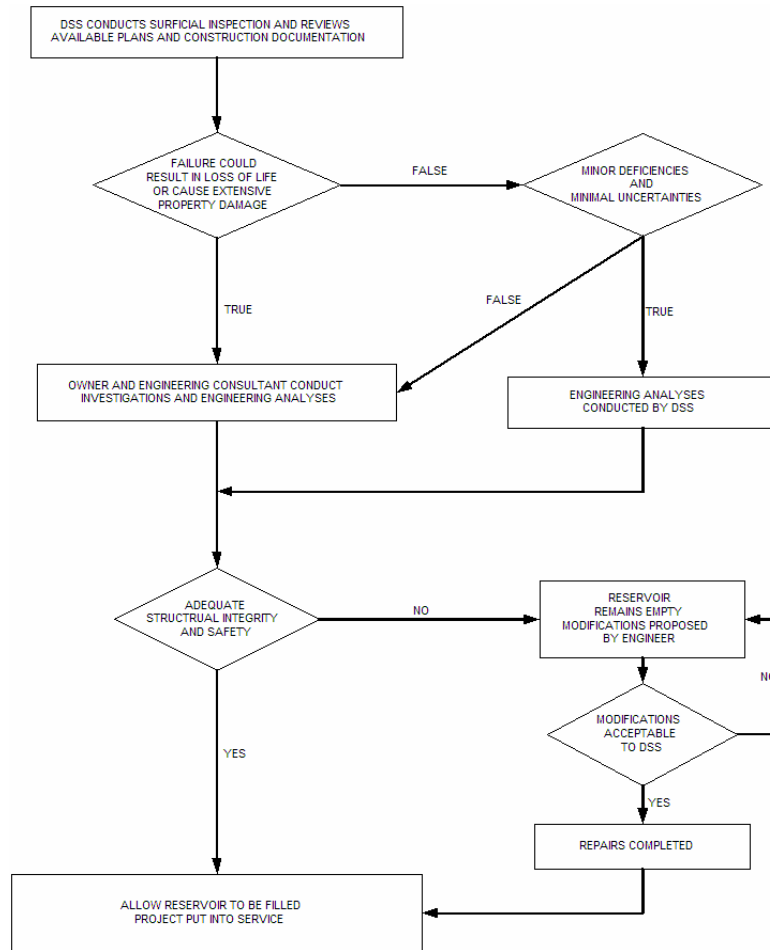
Step 2.

Case 1. If deficiencies are of a minor nature and a failure of the facility would not pose a threat to loss of life or result in extensive property damage then - in the interests of reducing the DSO time commitment, the DSO will conduct simplified analyses and notify the owner of any safety deficiencies.

Case 2. In all other cases, it will be the responsibility of the owner and his engineering consultant to conduct sufficient investigations and analyses to either demonstrate the structural adequacy of the facility or alternatively to propose modifications for repair of safety deficiencies.

In all cases, as-built drawings should be provided by the owner to document the geometry and construction details.

FIGURE 1. FLOWCHART FOR DSO PROCEDURES: DAMS CONSTRUCTED WITHOUT PRIOR APPROVAL



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Special Note: These policies and procedures are used to guide and ensure consistency among water resources program staff in the administration of laws and regulations. These policies and procedures are not formal administrative regulations that have been adopted through a rule-making process. In some cases, the policies may not reflect subsequent changes in statutory law or judicial findings, but they are indicative of the department's practices and interpretations of laws and regulations at the time they are adopted. If you have any questions regarding a policy or procedure, please contact the department.