

POL 5502

WATER RESOURCES PROGRAM POLICY

Resource Contact: Dam Safety Office

Effective Date: 07-01-91

References: RCW 43.21A.064
RCW 43.27A.190

Revised: 07-01-1999

USE OF ENFORCEMENT ACTION WHEN VOLUNTARY COMPLIANCE IS NOT FORTHCOMING

POLICY STATEMENT:

Voluntary compliance should be pursued as a first course in correcting safety deficiencies on a given project. If a determination is made that corrections will not be forthcoming in a reasonable period of time, enforcement actions should be considered.

Selection of a project for enforcement action should be considered based on the consequences of failure and the seriousness of the safety deficiencies.

A numerical ranking and prioritization scheme is to be used to aid in the selection of projects for enforcement action. The prioritization scheme should be based on the hazard posed by the project and the seriousness of the safety deficiencies.

DISCUSSION:

At the present time, the legal and administrative time required to bring about compliance on the large number of projects with safety deficiencies far exceeds the staff time available. A prioritization scheme is needed to help identify those projects which pose the greatest threat to public safety. These high priority projects should be targeted for enforcement action.

PROCEDURES:

The prioritization algorithm developed for the compliance tracking data base is to be used to provide guidance in selection of projects for enforcement action. This prioritization algorithm is contained within in the DSO computer Database. The numbers of projects targeted for enforcement action at any given time should be chosen to maximize compliance while not jeopardizing other critical functions of the Dam Safety Office. This generally represents an active enforcement workload of about 10 projects.

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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.