HOUSE BILL 125

M3 7lr0060

By: Chair, Environment and Transportation Committee (By Request - Departmental - Environment)

Introduced and read first time: January 18, 2017 Assigned to: Environment and Transportation

A BILL ENTITLED

1	AN	ACT	concerning
L	T TT A	1101	COLLCCITILLE

2 Environment – Emergency Action Plans for Dams

- 3 FOR the purpose of requiring owners of certain dams to prepare and submit to the 4 Department of the Environment an emergency action plan that contains certain information in a certain manner; requiring the Department's approval of an 5 emergency action plan; requiring owners of certain dams to provide a copy of a 6 7 certain emergency action plan to certain agencies; requiring owners of certain dams 8 to update an emergency action plan on an annual basis; requiring owners of certain dams to perform certain tests of an emergency action plan on a certain schedule; 9 10 authorizing the Department to adopt regulations; and generally relating to 11 emergency action plans for dams.
- 12 BY adding to
- 13 Article Environment
- 14 Section 5–503.1
- 15 Annotated Code of Maryland
- 16 (2013 Replacement Volume and 2016 Supplement)
- 17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 18 That the Laws of Maryland read as follows:
- 19 Article Environment
- 20 **5-503.1.**
- 21 (A) THIS SECTION APPLIES TO ANY DAM THAT:
- 22 (1) HAS THE POTENTIAL TO CAUSE THE LOSS OF HUMAN LIFE OR
- 23 SUBSTANTIAL PROPERTY DAMAGE IN THE EVENT OF STRUCTURAL FAILURE; AND



- 1 (2) HAS BEEN DESIGNATED OR VERIFIED BY THE DEPARTMENT AS A
 2 HIGH HAZARD OR SIGNIFICANT HAZARD DAM, AS DEFINED IN THE CLASSIFICATION
- 3 OF DAMS UNDER REGULATIONS ADOPTED BY THE DEPARTMENT.
- 4 (B) (1) AN OWNER OF A DAM SUBJECT TO THIS SECTION SHALL PREPARE
- 5 AND SUBMIT TO THE DEPARTMENT FOR APPROVAL AN EMERGENCY ACTION PLAN IN
- 6 ACCORDANCE WITH THIS SECTION TO PROTECT DOWNSTREAM HUMAN LIFE AND
- 7 SAFEGUARD PROPERTY IN THE EVENT OF A STRUCTURAL FAILURE OR ANY OTHER
- 8 EMERGENCY.
- 9 (2) AN OWNER OF AN EXISTING DAM SUBJECT TO THIS SECTION
- 10 SHALL SUBMIT A PLAN TO THE DEPARTMENT FOR APPROVAL ON OR BEFORE
- 11 **AUGUST 1, 2017.**
- 12 (3) A PERSON PROPOSING TO CONSTRUCT A DAM SUBJECT TO THIS
- 13 SECTION SHALL SUBMIT A PLAN WITH AN APPLICATION FOR A PERMIT TO
- 14 CONSTRUCT THE DAM UNDER § 5–503 OF THIS SUBTITLE.
- 15 (C) AN EMERGENCY ACTION PLAN SHALL CONTAIN:
- 16 (1) A DESCRIPTION OF THE DAM, INCLUDING ITS HAZARD 17 CLASSIFICATION;
- 18 (2) Maps or other graphic representations of areas
- 19 DOWNSTREAM THAT HAVE THE POTENTIAL TO BE AFFECTED BY A STRUCTURAL
- 20 FAILURE OR ANY OTHER EMERGENCY;
- 21 (3) A LIST OF AGENCIES AND INDIVIDUALS RESPONSIBLE FOR
- 22 MONITORING WEATHER AND OPERATING CONDITIONS AT THE DAM DURING
- 23 EMERGENCIES;
- 24 (4) DETAILED OPERATING PROCEDURES FOR MAKING DECISIONS
- 25 AND TAKING ACTIONS TO PROTECT LIVES AND PROPERTY IN AREAS DOWNSTREAM
- 26 FROM THE DAM IN THE EVENT OF AN EMERGENCY;
- 27 (5) PROCEDURES FOR NOTIFYING JURISDICTIONS, BUSINESSES, AND
- 28 PERSONS WHO HAVE THE POTENTIAL TO BE AFFECTED BY A DAM FAILURE OR ANY
- 29 OTHER EMERGENCY;
- 30 (6) A LIST OF EMERGENCY MANAGEMENT RESOURCES AND
- 31 EQUIPMENT THAT COULD BE NEEDED IN THE EVENT OF AN EMERGENCY; AND

- 1 (7) ANY ADDITIONAL INFORMATION REQUIRED BY THE 2 DEPARTMENT.
- 3 (D) ON APPROVAL OF THE EMERGENCY ACTION PLAN BY THE 4 DEPARTMENT, THE DAM OWNER SHALL PROVIDE COPIES OF THE PLAN TO 5 APPROPRIATE STATE AND LOCAL EMERGENCY MANAGEMENT AGENCIES.
- 6 (E) EMERGENCY ACTION PLANS SHALL BE UPDATED ANNUALLY AND 7 SUBMITTED TO THE DEPARTMENT FOR APPROVAL ON OR BEFORE MAY 1 EACH 8 YEAR.
- 9 (F) AN OWNER OF A DAM SUBJECT TO THIS SECTION SHALL CONDUCT A
 10 FUNCTIONAL EXERCISE OR TEST OF THE APPROVED EMERGENCY ACTION PLAN AT
 11 LEAST ONCE EVERY 5 YEARS.
- 12 (G) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS 13 SECTION.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 15 1, 2017.