

**SUBCHAPTER F: EMERGENCY MANAGEMENT**

**§299.61, §299.62**

**Effective January 1, 2009**

**§299.61. Emergency Action Plans.**

(a) The owners of all high- and significant-hazard dams, as defined in §299.13 of this title (relating to Size Classification Criteria) and §299.14 of this title (relating to Hazard Classification Criteria), shall prepare an emergency action plan to be followed by the owner in the event or threat of a dam emergency.

(b) The owner of an existing high- or significant-hazard dam shall submit the emergency action plan to the executive director for review within two years after the effective date of the rules unless an extension of the time frame is requested and approved by the executive director as described in subsection (d) of this section.

(c) The owner of a proposed high- or significant-hazard dam shall submit the emergency action plan to the executive director before either requesting closure of the dam or upon completion of construction of the dam, if the dam does not require a closure section.

(d) The owner shall prepare the emergency action plan using guidelines provided by the executive director or using a format approved by the executive director before the plan is prepared. If an owner owns more than one dam, the owner shall prepare a plan, with timelines, for preparing emergency action plans based on priority determined by hazard and submit the plan to the executive director for review. If an owner cannot complete the emergency action plan within the two years required in subsection (b) of this section, the owner shall request an extension of time showing cause or a reasonable basis for the need for an extension and providing a time frame to complete. The request shall be submitted to the executive director for review and approval.

(e) The executive director shall review the emergency action plan and provide any comments in writing to the owner.

(f) The executive director shall file the emergency action plan in the agency's confidential, permanent records.

(g) The owner shall review the emergency action plan annually, update the emergency action plan as necessary, and submit a copy of the updated portions of the emergency action plan to the executive director annually beginning three years after the effective date of this section. If the emergency action plan was reviewed by the owner and no updates were necessary, the owner shall submit written notification to the executive director that no updates to the emergency action plan have been adopted or implemented.

(h) The owner shall perform a table top exercise of the emergency action plan on the frequency provided in the owner's emergency action plan, or at least every five years. A table top exercise is a meeting of the owner and the state and local emergency management personnel in a conference room setting

**§299.62. Security of Dams.**

(a) Owners of high-hazard dams that are notified in writing by the executive director within six months of the effective date of these rules of dams that may need increased security shall address:

- (1) security at the owner's dams to prevent unauthorized operation or access; and
- (2) backup power requirements to ensure operation of the dam and appurtenant structures.

(b) The owner shall develop a security plan for the dam within two years of being notified by the executive director and shall submit the security plan to the executive director for review and comment. If an owner cannot complete the security plan within the two years, the owner shall request an extension of time showing cause or a reasonable basis for the need for an extension and providing a time frame to complete. The request shall be submitted to the executive director for review and approval.

(c) The executive director shall file the security plan in the agency's confidential, permanent files.

Adopted December 10, 2008

Effective January 1, 2009