

Enrolled House Bill 3427

Sponsored by Representative LEWIS; Representatives BARRETO, BENTZ, BOONE, BUEHLER, ESQUIVEL, EVANS, HACK, JOHNSON, LIVELY, MEEK, NOBLE, PARRISH, POST, VIAL, WHISNANT

CHAPTER

AN ACT

Relating to dams with high hazard ratings.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 540.

SECTION 2. (1) As used in this section:

(a) “Emergency action plan” means a plan that assists a dam owner or operator and the local emergency manager to perform actions to ensure human safety in the event of a potential or actual failure of a dam or a sudden release of water.

(b) “High hazard rating” means that the Water Resources Department expects loss of human life to occur if a dam fails.

(2) Except as provided in subsection (6) of this section, the department shall require the owner or operator of a dam with a high hazard rating to develop an emergency action plan for the dam. The emergency action plan must include, but need not be limited to:

(a) Means for emergency condition detection;

(b) Means for emergency level determination;

(c) Identification of, and information necessary for, the notifications and communications to be made at each level of emergency condition;

(d) A description of actions expected to be undertaken to prevent dam failure or reduce the effects of dam failure;

(e) A map of the dam failure inundation zones for varying conditions, including but not limited to dry weather conditions and high flood conditions; and

(f) Procedures to be followed at termination of an emergency.

(3) An owner or operator of a dam with a high hazard rating shall file copies of the emergency action plan for the dam with the department, the Office of Emergency Management and the local emergency services agency for the county where the dam is located. The department, in consultation with the office and local emergency services agency, shall periodically review and require updates to the emergency action plan.

(4) The department, in consultation with the office and local emergency services agency, shall determine the frequency for the conducting of emergency response exercises at a dam with a high hazard rating.

(5) The department shall inspect a dam with a high hazard rating annually, unless the department determines that a different inspection schedule is appropriate.

(6) This section does not apply to a dam that is regulated under the dam safety program of a federal agency.

SECTION 3. (1) As used in this section “emergency action plan” and “high hazard rating” have the meanings given those terms in section 2 of this 2017 Act.

(2) A dam constructed prior to the effective date of this 2017 Act that has a high hazard rating shall have an emergency action plan filed as required in section 2 of this 2017 Act no later than one year after the effective date of this 2017 Act.

Passed by House July 5, 2017

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate July 7, 2017

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2017

Approved:

.....M.,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2017

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Dennis Richardson, Secretary of State