

86 STAT., 507 **Pub. Law 92-367 - 2 - August 8, 1972**

(3) recommendations for a comprehensive national program for the inspection, and regulation for safety purpose of dams of the Nation, and the respective responsibilities which should be assumed by Federal, State, and local governments and by public and private interests.

**Liability.** Sec. 6. Nothing contained in this Act and no action or failure to act under this Act shall be construed (1) to create any liability in the United States or its officers or employees for the recovery of damages caused by such action or failure to act; or (2) to relieve an owner or operator of a dam of the legal duties, obligations, or liabilities incident to the ownership or operation of the dam.

**Approved August 8, 1972.**

**LEGISLATIVE HISTORY:**

HOUSE REPORT No. 92-1232 (Comm. on Public Works).  
 CONGRESSIONAL RECORD, Vol. 118 (1972):  
 July 24, considered and passed House.  
 July 25, considered and passed Senate.  
 WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 8, No. 33:  
 Aug. 9, Presidential statement.

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| APPENDIX E TO § 222.6—SUGGESTED OUTLINE  | 1. Introduction   |
| Inspection Report—National Dam Inspection Program (RCS-DAEN-CWE-17 and OMB No. 49-R0421)   | a. Authority<br>b. Purpose and Scope of Inspection  |
| Title Sheet  | 2. Project Information  |
| Name of Dam  | a. Site Information   |
| ID Number from Inventory   | b. Description of Structures—Dam, Outlet, Spillway and other principal features.  |
| State, County and River or Stream where dam is located   | c. Purpose of Dam   |
| Owner  | d. Design, Construction and Operating History   |
| Size and Hazard Classification   | 3. Field Inspection   |
| Names of Inspectors  | Briefly describe physical condition of the dam and appurtenant structures as they were observed during the field inspection. (If field inspection form is appended, only present summary.) Describe operational procedures, including any warning system, condition of operating equipment, and provision for emergency procedures. Describe any pertinent observations of the reservoir area and downstream channel adjacent to dam. |
| Names of Review Board  |   |
| Approval Signature of District Engineer  |   |
| Table of Contents  |   |
| General Assessment   |   |
| Give brief assessment of general condition of dam with respect to safety, including a listing of deficiencies, and recommendations indicating degree of urgency. |   |

## 4. Evaluation

## a. Structural and Geotechnical

## (1) General

## (2) Embankment and/or Foundation Condition

(3) Stability—Briefly discuss pertinent information such as design, construction and operating records. Assess stability under maximum loading on basis of the record data, together with observations of field inspection and results of any additional, brief calculations performed by inspectors. If additional, detailed stability analyses are considered necessary, recommend that the owner engage a qualified engineer or firm to provide the analysis.

## b. Hydrologic and Hydraulic

(1) Spillway Adequacy—Briefly describe pertinent record information such as hydrologic and hydraulic design data, flood of record, and previous analyses. Describe any hydraulic and hydrologic analyses made for this inspection. Present conclusion with respect to adequacy of spillway to pass the recommended spillway design flood without overtopping dam. If overtopping would occur, and if available from the type of analysis used, give maximum depth over top of dam and duration of overtopping, assuming the dam does not fail. Also indicate the largest flood, as a percentage of the probable maximum flood which can be passed without overtopping.

(2) Effects of overtopping—If dam is overtopped by the recommended spillway design flood, provide assessment as to whether or not dam would likely fail, and if, in case of failure, the hazard to loss of life downstream of the dam would be substantially increased over that which would exist without failure. If information upon which to base a reasonable assessment is insufficient, so state and describe the needed data, and recommend that the necessary studies be performed by engineers engaged by the owner.

## c. Operation and Maintenance

Assess operating equipment and procedures, emergency power for gate operation, and Emergency Action Plan. Assess quality of maintenance as it pertains to dam safety.

## 5. Conclusions

Provide conclusions on condition of dam and list all deficiencies. If dam is considered unsafe, so state and give reason.

## 6. Recommendations

List all recommended actions, including additional studies, installation of new surveillance procedures and devices, development of Emergency Action Plans, and remedial work. Recommend that a qualified engineering firm be retained to accomplish any recommended additional investigations and studies and also to design and supervise remedial works.

## Appendixes

## a. Inspection Checklist (if available)

## b. Other Illustrations as follows:

(1) Include a map showing location of the dam. Usually a portion of a USGS quadrangle sheet can be used which will show the topography of the area, location of the dam, extent of the lake and drainage basin, and perhaps indicate the downstream development.

(2) If available, include a plan and section of the dam.

(3) General photographs of the dam and downstream channel should be included.

(4) Color photographs of deficiencies should be included. These should be held to the minimum required to illustrate the deficiencies.

(5) Available engineering data including Hydrologic/Hydraulic calculation and physical test results that might be available.

## APPENDIX F TO § 222.6

Instructions for Unsafe Dam Data Sheet  
(RCS-DAEN-CWE-17 and OMB No. 49-R0421)

The indicated information shall be provided in the format shown on Pg F-3 for each dam assessed to be unsafe during the reporting period. A separate data sheet should be provided for each unsafe dam. The information supplied should conform to the following.

a. *Name*—Name of dam.b. *Id. No.*—Dam inventory identity number.

c. *Location*—List state county, river or stream and nearest D/S city or town where the dam is located.

d. *Height*—Maximum hydraulic height of dam.

e. *Maximum Impoundment Capacity*—List the capacity of the reservoir at maximum attainable water surface elevation including any surcharge loading.

f. *Type*—Type of dam, *i.e.*, earth, rockfill, gravity, combination earth-gravity, etc.

g. *Owner*—Owner of dam.

h. *Date Governor Notified of Unsafe Condition*—The date and method of notification, such as, by telegram, letter, report, etc.

i. *Condition of Dam Resulting in Unsafe Assessment*—Brief description of the deficiencies discovered which resulted in the unsafe assessment.

j. *Description of Danger Involved*—Downstream (D/S) hazard potential category and a brief description of the danger involved.

k. *Recommendations Given to Governor*—Brief description of the actions recommended to Governor at time of notification of unsafe condition to eliminate or reduce the danger.

l. *Urgency Category*—State whether the unsafe condition of the dam is an emergency or non-emergency situation. An emergency situation should be considered to exist if the failure of the dam is judged to be imminent