

South Carolina Department of Transportation

Engineering Directive

Directive Number: ED-26 **Effective:** June 29, 2005

Subject: Dams/Water Impoundments Adjacent to Highways

References: S.C. Code of Laws, Sections 49-11-110, *et seq.*

Purpose: Ensure Compliance with the Dams and Reservoirs Safety Act

This Directive Applies to: Preconstruction

The Dams and Reservoirs Safety Act, Sections 49-11-110, *et seq.*, S.C. Code of Laws, provides for the certification and inspection of dams and reservoirs and confers the authority to implement these laws on the South Carolina Department of Health and Environmental Control (DHEC) Bureau of Water. It is the intent of this directive to comply with these laws.

A dam is defined as any artificial barrier, together with appurtenant works, including but not limited to dams, levees, dikes, or floodwalls, for the impoundment or diversion of waters, except this shall not include:

1. any dam constructed by the U.S. Army Corps of Engineers, Soil Conservation Service, or any other department or agency of the federal government when such department or agency designed or approved plans and supervised construction;
2. any dam owned or licensed by the Federal Power Commission or the South Carolina Public Service Authority; or
3. any dam that, in the judgment of the DHEC Bureau of Water, could pose no threat or danger to downstream life or property because of its size and/or location.

The exemptions in cases 1 and 2 above shall not apply when the supervising federal agency relinquishes authority for operation, maintenance, and inspection to entities other than state or federal agencies or commissions.

For roads not maintained by the South Carolina Department of Transportation (SCDOT) that are to be improved or widened by the Department, when a water impoundment is located on the right-of-way or the proposed right-of-way, it will be necessary to notify the DHEC Bureau of Water and request an inspection to determine if the dam is in a safe condition prior to making location surveys.

For all projects to be widened, improved, or constructed by SCDOT on primary, interstate, or secondary roads that are located such that there is a water impoundment on the right-of-way or proposed right-of-way or upstream from the roadway in such proximity to the roadway that a failure of the dam structure would pose a hazard to the motoring public, it will be necessary to

notify the DHEC Bureau of Water and request an inspection to determine if the dam is in a safe condition prior to making location surveys.

If the dam is found to be in a safe condition and SCDOT is so notified in writing by the DHEC Bureau of Water, the Department may proceed with the survey. If the DHEC Bureau of Water finds the dam to be in an unsafe condition, the making of the survey should be withheld until remedial actions are taken by the owner, unless otherwise directed by the Deputy Secretary for Engineering. The Deputy Secretary for Engineering should be informed immediately when any dam is declared unsafe.

Submitted by: Mitchell D. Metts
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Approved: Christy A. Hall
Deputy Secretary for Engineering

Lead: Director of Preconstruction

History: Issued on June 29, 2005