

Virginia Administrative Code
Title 4. Conservation And Natural Resources
Agency 50. Virginia Soil And Water Conservation Board
Chapter 20. Impounding Structure Regulations

Part I. General

4VAC50-20-20. General provisions.

A. This chapter provides for the proper and safe design, construction, operation and maintenance of impounding structures to protect public safety. This chapter shall not be construed or interpreted to relieve the owner or operator of any impoundment or impounding structure of any legal duties, obligations or liabilities incident to ownership, design, construction, operation or maintenance.

B. Approval by the board of proposals for an impounding structure shall in no manner be construed or interpreted as approval to capture or store waters. For information concerning approval to capture or store waters, see Chapter 8 (§ 62.1-107) of Title 62.1 of the Code of Virginia, and other provisions of law as may be applicable.

C. In promulgating this chapter, the board recognizes that no impounding structure can ever be completely "fail-safe," because of incomplete understanding of or uncertainties associated with natural (earthquakes and floods) and manmade (sabotage) destructive forces; with material behavior and response to those forces; and with quality control during construction.

D. All engineering analyses required by this chapter, including but not limited to, plans, specifications, hydrology, hydraulics and inspections shall be conducted or overseen by and bear the seal of a professional engineer licensed to practice in Virginia.

E. Design, inspection and maintenance of impounding structures shall be conducted utilizing competent, experienced, engineering judgment that takes into consideration factors including but not limited to local topography and meteorological conditions.

F. The owner shall ensure all information required to be submitted under this chapter be provided to the department via the electronic Dam Safety System (DSIS), unless prior approval for an alternative method of submission is granted by the department.

Statutory Authority

§10.1-605 of the Code of Virginia.

Historical Notes

Derived from VR625-01-00 § 1.2, eff. February 1, 1989; amended, Virginia Register Volume 24, Issue 25, eff. September 26, 2008; Volume 37, Issue 15, eff. May 1, 2021.