AMERICAN SOCIETY OF CIVIL ENGINEERS

Testimony of Roy Merritt, Jr., P.E.
On behalf of the
The Connecticut Society of Civil Engineers (CSCE) Section of the American Society of Civil Engineers (ASCE)

Before the Environment Committee
Regarding

- ***HB No. 6441 – AN ACT CONCERNING THE DAM SAFETY PROGRAM***

February 25, 2013

I am Roy Merritt, Jr., and I am a licensed Professional Engineer in the State of Connecticut. I am submitting this written testimony on behalf of the Connecticut Society of Civil Engineers (CSCE) Section of the American Society of Civil Engineers[1] (ASCE), where I serve as Chairman of their Legislative Affairs Committee. CSCE submits this testimony in **support of H.B. No. 6441 – AN ACT CONCERNING THE DAM SAFETY PROGRAM.** This bill would increase the safety of more than 3,000 dams located in Connecticut. The bill assigns responsibility for the inspection, repair, and review of existing dams in the State.

However, CSCE has concerns regarding the onerous and burdensome level risk and liability assigned to the inspecting engineers due to the language proposed in Section 3 of the bill. We offer the following minor suggestion that would clarify and mitigate some liability issues for the engineers inspecting the dams:

In Section 3, CSCE recommends that the last sentence that begins with Line 59 be change to read, "Such sworn statement shall (1) attest that such engineer inspected the work and determined to the best of the engineer's knowledge, information and belief that the dam or like structure is safe within the customary standards of design for such dam or like structure, (2) attest that to the best of the engineer's knowledge, information, and belief that all appurtenance to such dam or like structure were built, repaired, altered or removed in conformance with plans, specifications, and drawings approved by the Commissioner pursuant to a permit for construction or an order issued pursuant to Section 22a402, and (3) bear the engineer's professional engineering seal and signature. In making such attestation, if the inspecting engineer was not responsible for the design of such dam or like structure, the inspecting engineer shall be entitled to rely upon the design prepared by the designing engineer and shall not have to independently confirm said design."

The Connecticut Society of Civil Engineers looks forward to working with the Connecticut Legislature on this most important issue.

Thank you,

Roy Merritt, Jr., P.E.
Chairman, Legislative Affairs Committee
Connecticut Society of Civil Engineers Section of the American Society of Civil Engineers

[1] ASCE was founded in 1852 and is the oldest national civil engineering organization. It represents over 140,000 civil engineers (1,650 in Connecticut) in private practice, government, industry and academia who are dedicated to the advancement of the science and the profession of civil engineering. ASCE is a non-profit educational and professional society organized under Part 1.501(c)(3) of the Internal Revenue Code. CSCE is a 100% volunteer organization.