



House of Representatives

General Assembly

File No. 247

February Session, 2018

House Bill No. 5356

House of Representatives, April 5, 2018

The Committee on Environment reported through REP. DEMICCO of the 21st Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING EMERGENCY ACTION PLANS FOR DAMS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-411a of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2018*):

3 After the Commissioner of Energy and Environmental Protection's
4 adoption of regulations pursuant to this section, the owner of any high
5 or significant hazard dam or similar structure shall develop and
6 implement an emergency action plan. The emergency action plan shall
7 be updated every two years and copies shall be filed with the
8 Commissioner of Energy and Environmental Protection and the chief
9 executive officer of any municipality that would potentially be affected
10 in the event of an emergency. After an emergency action plan is
11 developed and implemented in accordance with the provisions of this
12 section, any update of such plan shall be limited to the components of
13 such plan that changed subsequent to the development and
14 implementation of such plan. The Commissioner of Energy and
15 Environmental Protection shall adopt regulations, in accordance with

16 the provisions of chapter 54, establishing the requirements for such
17 emergency action plans, including, but not limited to, (1) criteria and
18 standards for inundation studies and inundation zone mapping; (2)
19 procedures for monitoring the dam or structure during periods of
20 heavy rainfall and runoff, including personnel assignments and
21 features of the dam to be inspected at given intervals during such
22 periods; and (3) a formal notification system to alert appropriate local
23 officials who are responsible for the warning and evacuation of
24 residents in the inundation zone in the event of an emergency.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2018</i>	22a-411a

ENV *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 19 \$	FY 20 \$
Various Municipalities	Savings	Potential	Potential

Explanation

The bill allows dam owners to update an emergency action plan (EAP) by amending only the sections of it that changed, rather than providing a new, complete plan. Currently, owners of high or significant hazard dams must update EAP documents at least every two years, or more often, to reflect significant changes.¹

The bill may result in a savings to certain municipalities. Municipalities that own high or significant hazard dams and retain consultants would no longer have to engage their services every two years to prepare EAP's. Also, municipalities may also realize printing and mailing savings as they can amend EAP's instead of reproducing entire plan documents.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the cost of outside consultants, and the cost of printing and postage.

¹ An emergency action plan is a formal document that identifies potential emergency conditions at a high or significant hazard dam and specifies preplanned actions to be followed to minimize property damage and loss of life.

OLR Bill Analysis**HB 5356*****AN ACT CONCERNING EMERGENCY ACTION PLANS FOR DAMS.*****SUMMARY**

By law and regulation, an owner of a high or significant hazard dam or similar structure must have an emergency action plan and update it at least every two years or when a significant change occurs (CGS § 22a-411a, Conn. Agencies Regs. § 22a-411a-2(a)). This bill allows an owner to update the plan by amending only the parts that changed, rather than by providing a new, complete plan.

By law, copies of the original plans and updates to them must be filed with the (1) energy and environmental protection commissioner and (2) chief executive officer of any municipality that could be affected in an emergency.

By regulation, a high hazard dam is one whose failure would result in probable loss of life, damage to major utilities and roadways, or great economic loss. A significant hazard dam is one whose failure would result in possible loss of life, damage to local utilities and roads, or significant economic loss (Conn. Agency Regs. § 22a-409-2(a)).

EFFECTIVE DATE: October 1, 2018

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 29 Nay 0 (03/22/2018)