



Energy, Mineral
and Land Resources
ENVIRONMENTAL QUALITY

Dam Safety Emergency Action Plan Frequently Asked Questions (FAQs)

Q What is an Emergency Action Plan (EAP)? Where can I educate myself about EAPs?

- A. An EAP is a formal document that identifies potential emergency conditions at a dam and specifies actions to be followed to minimize loss of life and property damage.
- B. Refer to *Federal Guidelines for Emergency Action Planning for Dams* ([FEMA No. P-64](#))

Q I've owned this dam for XX years with no safety problems. Why am I now required to prepare an EAP for my dam?

- A. The Coal Ash Management Act (CAMA) of 2014 ([Session Law 2014-122](#)) requires that all owners of High and Intermediate hazard dams in North Carolina submit a proposed Emergency Action Plan (EAP) that includes, at a minimum, all of the following:
 - i. A description of potential emergency conditions that could occur at the dam, including security risks.
 - ii. b. A description of actions to be taken in response to an emergency condition at the dam.
 - iii. c. Emergency notification procedures to aid in warning and evacuations during an emergency condition at the dam.
 - iv. d. A downstream inundation map depicting areas affected by a dam failure and sudden release of the impoundment.

Q When is my EAP due?

- A. Notice of Change in the Dam Safety Act dated November 6, 2014 stated the EAPs for High and Intermediate hazard dams were to be submitted no later than by March 1, 2015. Due to the passage of [Session Law \(S.L.\) 2015-7](#), EAPs were due by December 31, 2015. Dam Owners who are required to submit an EAP, but have not yet, are subject to be penalized per §143-215.36.
- B. Per § 143-215.31.(a1)(3) of Dam Safety Law of 1967, EAP must be updated annually or at the anniversary of prior approval date for review and approval to Dam Safety Program.

Q Does my inundation map(s) have to be prepared and sealed by a Professional Engineer (PE) of North Carolina?

- A. Due to the passage of [S.L. 2015-7](#), owners of dams, who are not related to storage of coal combustion residuals, have been relieved of the requirement to have a PE prepare/seal the inundation map associated with their EAP.

- Q I already have an EAP with an inundation map for my dam. Do I need to have the inundation map re-done when I am updating my EAP annually?**
- A. Dam Owners/EAP Coordinators should assess the downstream development conditions to see if there are any new developments which could potentially be impacted by the dam breach flood as part of the due diligence to update the EAP annually or at the anniversary of prior approval date for Dam Safety’s review. If there is no change, the inundation map does not need to be re-done.
- Q I am having a problem with the online EAP Development Tool (a.k.a. Risk Management Portal). Can you help me?**
- A. Although the EAP Development Tool was developed using the DEMLR Dam Safety Program EAP template, the tool is housed and regulated by the N.C. Department of Public Safety’s Division of Emergency Management (NCEM). Any questions about the use of the tool should be directed to Mr. Mahmood Hasan within DEM: Mahmood.Hasan@ncdps.gov. The direct URL to access the Risk Management Portal’s EAP Development tool is: <https://rmp.nc.gov/portal/#> (Click on the “Planning Tools” tab)
- Q Do I have to use the online EAP Development Tool (a.k.a. Risk Management Portal) to complete my EAP?**
- A. It is the goal of the Dam Safety Program and N.C. Emergency Management to have all North Carolina dam EAPs stored and updated using the online tool. However, dam owners can meet the legal requirement for submitting an EAP by using the MS Word template available at the state [Dam Safety Program website](#). We encourage dam owners to migrate to the online tool when updating their EAP in the future.
- Q My dam is classified “Intermediate” Hazard. Do I need to prepare an EAP?**
- A. For a dam that is classified as Intermediate Hazard and is not exempt from the Dam Safety Law based upon the size/maximum impoundment capacity criteria or other exemption criteria described in G.S. § 143-215.25A, an EAP will be required. Examples of Intermediate hazard dams requiring an EAP by the Dam Safety Law:
- i. Example 1: A dam that is classified Intermediate Hazard is 21 feet tall and capable of impounding 65 acre-feet of water. Because this dam is less than 25 feet tall, G.S. § 143-215.25A(a)(6) renders it exempt from the Dam Safety Law. Therefore, no EAP is currently required.
 - ii. Example 2: A dam that is classified Intermediate Hazard is 27 feet tall and capable of impounding 51 acre-feet of water. Assuming no other exemption criteria apply [refer to G.S. § 143-215.25A(a) (1) through (7)], because this dam is 25 feet or greater in height and capable of impounding 50 acre-feet or more, it is not exempt from the Dam Safety Law. Therefore, an EAP is required.

Q **My dam is exempt/breached/drained. Do I need to prepare an EAP?**

- A. Exempt: No
- B. Breached: No (unless the breach has been done as part of a phased repair plan and the dam is expected to re-impound)
- C. Drained (which the term implies the potential to re-impound): Yes

Q **How should I submit my EAP if I use the Dam Safety Program's MS Word template rather than the NCEM's online tool?**

- A. When completed, submit one (1) electronic copy to DamSafety@ncdenr.gov or send two (2) hard copies to:

North Carolina Dam Safety Program
Division of Energy, Mineral, and Land Resources
1612 Mail Service Center
Raleigh, NC 27699-1612