

(Pub. L. 92-367, §3, formerly §2, Aug. 8, 1972, 86 Stat. 506; Pub. L. 95-91, title IV, §402(a)(1)(A), Aug. 4, 1977, 91 Stat. 583; renumbered §3 and amended Pub. L. 104-303, title II, §215(c)(3), (5), Oct. 12, 1996, 110 Stat. 3685, 3687; Pub. L. 113-121, title III, §3001(b), June 10, 2014, 128 Stat. 1282.)

REFERENCES IN TEXT

The Federal Power Act, referred to in subsec. (a), is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, which is classified generally to chapter 12 (§791a et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see section 791a of Title 16 and Tables.

PRIOR PROVISIONS

A prior section 3 of Pub. L. 92-367 was renumbered section 4 and is classified to section 467b of this title.

AMENDMENTS

2014—Subsec. (b)(1). Pub. L. 113-121 substituted “maintenance, condition, or provisions for emergency operations” for “or maintenance”.

1996—Pub. L. 104-303 inserted section catchline, designated existing provisions as subsec. (a) and inserted heading, and added subsec. (b).

TRANSFER OF FUNCTIONS

“Federal Energy Regulatory Commission” substituted in text for “Federal Power Commission” on authority of Pub. L. 95-91, title IV, §402(a)(1)(A), Aug. 4, 1977, 91 Stat. 583, which is classified to section 7172(a)(1)(A) of Title 42, The Public Health and Welfare.

§ 467b. Investigation reports to Governors

As soon as practicable after inspection of a dam, the Secretary shall notify the Governor of the State in which such dam is located the results of such investigation. In any case in which any hazardous conditions are found during an inspection, upon request by the owner, the Secretary, acting through the Chief of Engineers, may perform detailed engineering studies to determine the structural integrity of the dam, subject to reimbursement of such expense by the owner of such dam. The Secretary shall immediately notify the Governor of any hazardous conditions found during an inspection. The Secretary shall provide advice to the Governor, upon request, relating to timely remedial measures necessary to mitigate or obviate any hazardous conditions found during an inspection.

(Pub. L. 92-367, §4, formerly §3, Aug. 8, 1972, 86 Stat. 507; Pub. L. 99-662, title XII, §1204, Nov. 17, 1986, 100 Stat. 4263; renumbered §4 and amended Pub. L. 104-303, title II, §215(c)(3), (6), Oct. 12, 1996, 110 Stat. 3685, 3687.)

PRIOR PROVISIONS

A prior section 4 of Pub. L. 92-367 was renumbered section 5 and is classified to section 467c of this title.

AMENDMENTS

1996—Pub. L. 104-303 inserted section catchline.

1986—Pub. L. 99-662 inserted “In any case in which any hazardous conditions are found during an inspection, upon request by the owner, the Secretary, acting through the Chief of Engineers, may perform detailed engineering studies to determine the structural integrity of the dam, subject to reimbursement of such expense by the owner of such dam.”

§ 467c. Determination of danger to human life and property

For the purpose of determining whether a dam (including the waters impounded by such dam)

constitutes a danger to human life or property, the Secretary shall take into consideration the possibility that the dam might be endangered by overtopping, seepage, settlement, erosion, sediment, cracking, earth movement, earthquakes, failure of bulkheads, flashboard, gates on conduits, or other conditions which exist or which might occur in any area in the vicinity of the dam.

(Pub. L. 92-367, §5, formerly §4, Aug. 8, 1972, 86 Stat. 507; renumbered §5 and amended Pub. L. 104-303, title II, §215(c)(3), (7), Oct. 12, 1996, 110 Stat. 3685, 3687.)

PRIOR PROVISIONS

A prior section 5 of Pub. L. 92-367 was classified to section 467d of this title prior to repeal by Pub. L. 104-303.

AMENDMENTS

1996—Pub. L. 104-303 inserted section catchline.

§ 467d. National dam inventory

The Secretary of the Army shall maintain and update information on the inventory of dams in the United States. Such inventory of dams shall include any available information assessing each dam based on inspections completed by either a Federal agency or a State dam safety agency.

(Pub. L. 92-367, §6, as added Pub. L. 104-303, title II, §215(c)(8), Oct. 12, 1996, 110 Stat. 3687; amended Pub. L. 109-460, §1(b), Dec. 22, 2006, 120 Stat. 3401.)

PRIOR PROVISIONS

A prior section 467d, Pub. L. 92-367, §5, Aug. 8, 1972, 86 Stat. 507, directed Secretary report to Congress on or before July 1, 1974, on activities under this subchapter, including in report an inventory of dams in the United States, a review of each inspection made, recommendations to State Governors and implementation of those recommendations, recommendations for comprehensive national program for inspection and safety regulation, and recommendations on responsibilities which should be assumed by Federal, State, and local governments and by public and private interests, prior to repeal by Pub. L. 104-303, title II, §215(c)(2), Oct. 12, 1996, 110 Stat. 3685.

A prior section 6 of Pub. L. 92-367 was classified to section 467e of this title prior to repeal by Pub. L. 104-303.

AMENDMENTS

2006—Pub. L. 109-460 amended section generally. Prior to amendment, section read as follows: “The Secretary of the Army, acting through the Chief of Engineers, may maintain and periodically publish updated information on the inventory of dams in the United States.”

§ 467e. Interagency Committee on Dam Safety**(a) Establishment**

There is established an Interagency Committee on Dam Safety—

(1) comprised of a representative of each of the Department of Agriculture, the Department of Defense, the Department of Energy, the Department of the Interior, the Department of Labor, FEMA, the Federal Energy Regulatory Commission, the Nuclear Regulatory Commission, the Tennessee Valley Authority, and the United States Section of the International Boundary Commission; and