

91-224, title I, §102, 84 Stat. 91, which provided for studies and analysis of costs estimates and reports to Congress, was transferred to section 1175 of this title.

§§ 466m, 466n. Repealed. Pub. L. 91-224, title I, § 102, Apr. 3, 1970, 84 Stat. 91

Section 466m, act June 30, 1948, ch. 758, §17, as added Nov. 3, 1966, Pub. L. 89-753, title II, §210, 80 Stat. 1252, authorized a study by Secretary of the Interior, and a report to Congress not later than July 1, 1967, of the extent of pollution of the navigable waters of the United States from litter and sewage deposited into such waters from watercraft.

Section 466n, act June 30, 1948, ch. 758, §18, as added Nov. 3, 1966, Pub. L. 89-753, title II, §210, 80 Stat. 1252, authorized a study by Secretary of the Interior, and a report to Congress not later than Jan. 30, 1968, relating to incentives, including, but not limited to, tax and other financial incentives, to assist in the construction of industrial anti-pollution facilities.

SUBCHAPTER VII—DAM INSPECTION PROGRAM

§ 467. Definitions

In this subchapter, the following definitions apply:

(1) Administrator

The term “Administrator” means the Administrator of the Federal Emergency Management Agency.

(2) Board

The term “Board” means a National Dam Safety Review Board established under section 467f(f) of this title.

(3) Dam

The term “dam”—

(A) means any artificial barrier that has the ability to impound water, wastewater, or any liquid-borne material, for the purpose of storage or control of water, that—

(i) is 25 feet or more in height from—

(I) the natural bed of the stream channel or watercourse measured at the downstream toe of the barrier; or

(II) if the barrier is not across a stream channel or watercourse, from the lowest elevation of the outside limit of the barrier;

to the maximum water storage elevation; or

(ii) has an impounding capacity for maximum storage elevation of 50 acre-feet or more; but

(B) does not include—

(i) a levee; or

(ii) a barrier described in subparagraph

(A) that—

(I) is 6 feet or less in height regardless of storage capacity; or

(II) has a storage capacity at the maximum water storage elevation that is 15 acre-feet or less regardless of height;

unless the barrier, because of the location of the barrier or another physical characteristic of the barrier, is likely to pose a significant threat to human life or property if the barrier fails (as determined by the Administrator).

(4) Eligible high hazard potential dam

(A) In general

The term “eligible high hazard potential dam” means a non-Federal dam that—

(i) is located in a State with a State dam safety program;

(ii) is classified as “high hazard potential” by the State dam safety agency in the State in which the dam is located;

(iii) has an emergency action plan that—

(I) is approved by the relevant State dam safety agency; or

(II) is in conformance with State law and pending approval by the relevant State dam safety agency;

(iv) fails to meet minimum dam safety standards of the State in which the dam is located, as determined by the State; and

(v) poses an unacceptable risk to the public, as determined by the Administrator, in consultation with the Board.

(B) Exclusion

The term “eligible high hazard potential dam” does not include—

(i) a licensed hydroelectric dam under a hydropower project with an authorized installed capacity of greater than 1.5 megawatts; or

(ii) a dam built under the authority of the Secretary of Agriculture.

(5) Federal agency

The term “Federal agency” means a Federal agency that designs, finances, constructs, owns, operates, maintains, or regulates the construction, operation, or maintenance of a dam.

(6) Federal Guidelines for Dam Safety

The term “Federal Guidelines for Dam Safety” means the FEMA publication, numbered 93 and dated June 1979, that defines management practices for dam safety at all Federal agencies.

(7) FEMA

The term “FEMA” means the Federal Emergency Management Agency.

(8) Hazard reduction

The term “hazard reduction” means the reduction in the potential consequences to life and property of dam failure.

(9) ICODS

The term “ICODS” means the Interagency Committee on Dam Safety established by section 467e of this title.

(10) Eligible subrecipient

The term “eligible subrecipient”, in the case of a project receiving assistance under section 467f-2 of this title, includes—

(A) a governmental organization; and

(B) a nonprofit organization.

(11) Program

The term “Program” means the national dam safety program established under section 467f of this title.

(12) Rehabilitation

The term “rehabilitation” means the repair, replacement, reconstruction, or removal of a