

CHAPTER 89-08-04 OPERATION AND MAINTENANCE

Section	
89-08-04-01	Operating Plan
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89-08-04-03	Emergency Action Plan

89-08-04-01. Operating plan.

By the fifteenth of February of each year, the operator of a reservoir with a capacity of more than one thousand acre-feet must submit an operating plan for that year to the department. The department will review the operating plan, and if deficiencies or discrepancies exist, the department must notify the owner of the dam of the deficiencies or discrepancies. The owner of the dam must correct the deficiencies or discrepancies and return the corrected operating plan to the department within fourteen days of receiving notice of the deficiencies or discrepancies. The operating plan must be approved by the director before the operation of the dam. If the operator receives no response from the department within thirty days, the operating plan is approved.

History: Effective November 1, 1989; amended effective January 1, 2015; January 1, 2023.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-03-21

89-08-04-02. Maintenance plan.

Dam owners must maintain their structures in an adequate manner. The director may require the owner of a dam with a capacity of more than one thousand acre-feet to submit a maintenance plan for the dam and appurtenant works.

History: Effective January 1, 2015; amended effective January 1, 2023.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-03-21

89-08-04-03. Emergency action plan.

The owner of a high-hazard or medium-hazard dam must submit an emergency action plan for the dam to the department. The plan must be approved by the director. The plan must be maintained and updated on a regular basis, and copies of all updates must be submitted to the department.

History: Effective January 1, 2015; amended effective January 1, 2023.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-03-21