



MISSOURI SENATE

JEFFERSON CITY

Kevin Engler
3rd Senate District

CAPITOL BUILDING, ROOM 428
JEFFERSON CITY, MO 65101

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Contact: Jarad Falk
(573) 751-3455

NEWS RELEASE

Senate Advances Sen. Engler's Dam and Reservoir Safety Bill

JEFFERSON CITY— The Missouri Senate has given first-round approval to bill pertaining to the safety of dams and reservoirs in the state. Senate Bill 1236, sponsored by Sen. Kevin Engler, R-Farmington, is an effort to prevent another disaster like the failure of Ameren UE's Taum Sauk reservoir last December, which sent a billion gallons of water rushing over thousands of acres in Reynolds County. The reservoir failure caused substantial damage to Johnson's Shut-Ins State Park and washed away the home of park superintendent Jerry Toops. Three of Toops' children were hospitalized.

"The state of Missouri has gotten lax in its dam safety regulations," said Engler. "It's unfortunate that an accident like Taum Sauk took place before we could move forward to adequately protect the citizens of this state."

Currently, the state only regulates dams over 35-feet in height. SB 1236 would impose regulations on dams which are 25-feet or higher with at least 50 acre/ft of water, and which pose a hazard if they were to fail. A dam is considered a high hazard if loss of life is likely were the dam were to fail, and a significant hazard if substantial economic losses or damage to public services or infrastructure could be expected in the event of a failure. The new specifications would bring the number of regulated dams to approximately 3,172, up from the 635 currently regulated.

Federally-regulated dams would no longer be exempt from state supervision under SB 1236. The Department of Natural Resources says there are five such dams in Missouri, including the Upper and Lower Reservoirs at Taum Sauk.

The Dam and Reservoir Safety Council would set fees for operating permits, design reviews and inspections of high and significant hazard dams. In addition, a joint legislative committee will be formed in June 2007 to examine the fee schedule and determine if the fees charged to dam owners are equitable.

SB 1236 does not apply to agricultural dams unless the owner decides to have the dam regulated. However, if the Department of Natural Resources believes an agricultural dam poses a high hazard, the department will conduct an engineering survey to determine the status of the dam. The department will submit its findings to the Soil and Water District Board, and if the board agrees the dam is a high hazard, it will be regulated.

Under SB 1236, high hazard dams will be inspected once every two years and significant hazard dams will be inspected every five years.

“This bill is not a knee-jerk reaction to the Taum Sauk disaster and will not allow the pendulum to swing too far to the other side,” said Engler. “Only the dams and reservoirs which present a danger to human life or substantial property damage will be regulated, which I believe strikes the right balance between public safety and regulation.”

A final positive vote sends the measure to the House for consideration.