



Ohio Department of Natural Resources

Division of Soil and Water Resources

Fact Sheet

Fact Sheet 96-39

Dam Safety: Annual Fee

Catastrophic dam failures have cost thousands of lives and millions of dollars in property damage throughout the United States. The Ohio state government established the dam safety program to protect lives, health and property from damages due to catastrophic dam failures. The program provides this protection by requiring review and approval for the design and construction of new and repaired dams, inspecting existing dams, and responding to dam safety emergencies. In Ohio, the Ohio Department of Natural Resources, Division of Soil & Water Resources has the responsibility to regulate dam safety.

The dam safety program benefits both the owners of dams and residents in downstream areas. Owners receive periodic safety inspections of their dams, technical assistance during emergency situations, information on maintenance and operational procedures, and references for the preparation of emergency action plans. Downstream residents receive additional protection from catastrophic failure of the upstream dam.

The Ohio General Assembly established the dam safety program in 1963, and until 1987, all funding for the program came from the General Revenue Fund. In 1987, the General Assembly placed a share of the cost of the program on the owners of dams and they created the dam safety annual fee. Funds collected from the annual fee are placed in a dam safety fund and are used to fund a portion of the staffing, operational and equipment expenses of the dam safety program. By law, the fees collected can only be used for these purposes.

Owners of class I, II and III dams must pay an annual fee. Section 1501:21-13-01 of the Ohio Administrative Code and Section 1521.062 of the Ohio Revised Code explain how dams are classified. Division of Soil & Water Resources Fact Sheet 94-29, Classification of Structures also offers an explanation of the classification system in an easy-to-read format. The amount of the fee for each dam is based on its height, length, total storage

volume, and classification. As stated in Section 1521.063 of the Ohio Revised Code and Section 1501:21-24-01 of the Ohio Administrative Code, the annual fee shall be as follows:

(1) For any dam classified as a class I dam under rules adopted by the Chief of the Division of Soil & Water Resources under section 1521.06 of the Revised Code, three hundred dollars plus ten dollars per foot of height of dam, five cents per foot of length of the dam and five cents per-acre foot of water impounded by the dam;

(2) For any dam classified as a class II dam under those rules, ninety dollars plus six dollars per foot of height of dam, five cents per foot of length of the dam and five cents per-acre foot of water impounded by the dam;

(3) For any dam classified as a class III dam under those rules, ninety dollars plus four dollars per foot of height of the dam, five cents per foot of length of the dam, and five cents per-acre foot of volume of water impounded by the dam.

The height of a dam is the vertical height, to the nearest foot, as determined by the division under section 1521.062 of the Revised Code.

Under the compliant dam discount program, the Chief may reduce the amount of the annual fee that an owner of a dam is required to pay if the owner is in compliance with section 1521.062 of the Revised Code and has developed an emergency action plan pursuant to standards established in rules adopted under this section. The Chief shall not discount an annual fee by more than twenty-five per cent of the total annual fee that is due. In addition, the Chief shall not discount the annual fee that is due from the owner of a dam who has been assessed a penalty under this section.

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Sample Calculation:

class I dam

height = 32 feet

length = 500 feet

total storage volume = 1000 ac-ft

$$\begin{aligned}\text{annual fee} &= \$300.00 + (\$10.00/\text{ft})(32\text{ ft}) + (\$0.05/\text{ft})(500\text{ ft}) + (\$0.05/\text{ac-ft})(1000\text{ ac-ft}) \\ &= \$300.00 + \$320 + \$25 + \$50 \\ &= \$695.00\end{aligned}$$

The Division of Soil & Water Resources mails the annual fee invoices each year in May. Payment is due on or before June 30, and there is a 60 day grace period. The penalty for late payment is 10 percent of the fee plus interest at the rate of 0.5% per month from the due date until the date of payment. Delinquent fees are referred to the Attorney General for collection.

Any other questions, comments concerns, or fact sheet requests, should be directed to:

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