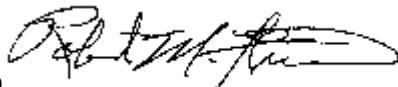


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PROGRAM INFORMATION BULLETIN NO. P04-09



FROM: ROBERT M. FRIEND  
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SUBJECT: Impoundment (Retaining Dams) Inspection and Emergency Action Plans

**Scope**

This bulletin applies to Metal and Nonmetal mine operators, miners' representatives, Mine Safety and Health Administration (MSHA) enforcement personnel and other interested parties.

**Purpose**

This bulletin reemphasizes the importance of impoundment inspections and encourages mine operators with impoundments at their mines to develop Emergency Action Plans (EAPs). EAPs provide a means to systematically warn the public in the event that an emergency condition develops at an impounding structure.

**Information**

30 CFR § 56/57.20010 contains the requirements for impoundments. This standard states:

If failure of a water or silt retaining dam will create a hazard, it shall be of substantial construction and inspected at regular intervals.

Inspection personnel should look for the following deficiencies during inspections which may indicate an impending impoundment failure:

- ✓ Seepage, especially uncontrolled seepage that could be carrying solids;
- ✓ Displacement, slip, or cracks on the embankment;
- ✓ Blockage of control features such as the spillway;
- ✓ Erosion that reduces the integrity of the impoundment; and/or

- ✓ Significant changes in any of the monitoring stations as approved in the impoundment design plan.

In conjunction with impoundment inspections, MSHA strongly encourages metal and nonmetal mine operators to develop EAPs. MSHA believes that an EAP should be an integral part of any design and operations plan for a dam which may constitute a hazard to life or property in the event of a failure. Guidance for preparing an EAP is provided in "Federal Guidelines for Dam Safety: Emergency Action Planning for Dam Owners," FEMA 64, dated October 1998. As indicated in these guidelines, a complete EAP should include the following:

- ✓ Notification flowchart – indicating who is to be notified, by whom, and in what priority;
- ✓ Emergency detection, evacuation, and classification – procedures for the reliable and timely identification of an emergency situation;
- ✓ Responsibilities – explanation of responsibilities and coordination with local authorities;
- ✓ Preparedness – actions to prevent or lessen the impact of failure; and
- ✓ Inundation mapping – delineation of the areas potentially affected by a failure.

### **Background**

Section 2-103 of Presidential Executive Order No. 12148, Federal Emergency Management (44 FR 43239), made the Director of the Federal Emergency Management Agency (FEMA) "responsible for the coordination of efforts to promote dam safety...." As a result, FEMA published the "Federal Guidelines for Dam Safety: Emergency Action Planning for Dam Owners," FEMA Report No. 64 (October 1998), which provides guidance on the development of an EAP. These guidelines are available from the Publications Branch, Federal Emergency Management Agency, P.O. Box 70274, Washington, DC 20024, or at the following FEMA website: [www.fema.gov/fima/damsafe/eap\\_toc.shtm](http://www.fema.gov/fima/damsafe/eap_toc.shtm).

### **Authority**

The Federal Mine Safety and Health Act of 1977, Public Law 91-173 as amended by Public Law 95-164, Section 103 (a), 30 CFR § 56/57.20010.

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### **Internet Availability**

This bulletin, may be viewed on the Internet by accessing MSHA's home page

(<http://www.msha.gov>), click on Rules & Regs, and click on Compliance Assistance Information and then click on "Program Information Bulletins" **Distribution**

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