



Ohio Administrative Code

Rule 1501:21-21-03 Owner's responsibilities in correcting deficient dams and levees.

Effective: May 18, 2023

(A) Pursuant to the requirements and/or orders of the chief, the owner shall perform such repairs, improvements, maintenance, investigations, studies, analyses, tests, or other remedial measures to the dam or levee as may be judged by the chief as necessary to safeguard life, health, or property. The owner shall be provided with a reasonable period of time in which to perform such required measures and actions. The severity of the deficiencies and the hazard posed by the dam or levee shall be considered by the chief in establishing the prescribed length of the time period. The cost of all required measures and actions shall be borne by the owner.

(B) The chief will advise the owner as to which repairs, improvements, maintenance, investigations, analyses, tests, and other remedial measures to the dam or levee must be accomplished under the direction of a registered professional engineer as per rule 1501:21-3-02 of the Administrative Code. The owner shall submit to the chief for review and approval three copies each of the plans and specifications, and one design report that includes, but is not limited to, assumptions, references, calculations, and investigations. All plans and specifications shall be prepared in accordance with the provisions of rules 1501:21-5-05 and 1501:21-5-06 of the Administrative Code. The chief will respond in writing within forty-five days from their date of receipt with either approval, conditional approval, or disapproval, describing any required modifications; however, the review of a critical flood analysis may require up to ninety days.

(C) Construction of corrective measures to dams and levees shall be accomplished under the inspection of a registered professional engineer and shall be in accordance with the requirements of rules 1501:21-15-01 to 1501:21-15-05 of the Administrative Code, unless otherwise modified by the chief.

(D) The chief will advise the owner as to which maintenance, repairs, or other remedial measures of a routine nature are not required to be accomplished under the direction of a registered professional engineer and are not subject to the chief's approval pursuant to division (E) of section 1521.062 of the Revised Code. Routine measures may include, but not be limited to the following: removal of all



trees, brush, and weeds; establishment and mowing of grass cover; repair of erosion gullies and rills; repair of rodent holes and burrows; repair of undermining; repair or placement of slope protection; repair of concrete deterioration (cracks less than one quarter of an inch wide or surficial spalling); lubrication and operation of outlet gates; grading the crest to a uniform elevation; and installation/repair of trashracks.