

Association of State Dam Safety Officials

Board of Directors and State Representatives
Resolution Number 2-2010

WHEREAS, the design, construction, inspection, maintenance, hazard potential, emergency action planning, and security of Metal and Nonmetal tailings dams may result in potential for loss of life and property, and

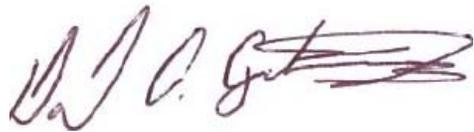
WHEREAS, failure of Metal and Nonmetal tailings dams have caused loss of life and property damage and adverse environmental consequences, and

WHEREAS, due to the potential damage posed by Metal and Nonmetal dams nationwide, the Mine Safety and Health Administration (MSHA) is considering regulations to establish regulatory oversight of Metal and Nonmetal tailings dams, and

WHEREAS, state dam safety programs may administer Metal and Nonmetal tailings dams regulatory programs and state dam safety programs may be impacted by the proposed MSHA regulations,

NOW THEREFORE BE IT RESOLVED, by the Board of Directors and the State Representatives of the Association of State Dam Safety Officials, meeting on September 22, 2010 that the Association of State Dam Safety Officials, expresses support for the following positions in response to MSHA request for comments:

- MSHA dam safety regulation should have a provision to address hazards to the downstream public
- MSHA should adopt FEMA hazard potential guidelines
- MSHA should require emergency action planning in accordance with FEMA guidelines
- MSHA should adapt to specific safety standards equal to the Federal Guidelines for Dam Safety



David Gutierrez
President

October 5, 2010

Date