



Commonwealth of Kentucky
Energy and Environment Cabinet
Division of Water

Dam Safety Permit Application
(DEP 4_030_1, Date) – Page 1 of 4

Chapter 151 of the Kentucky Revised Statutes and Title 401, Chapter 4 of the Kentucky Administrative Regulations requires approval by the Energy and Environment Cabinet prior to commencing construction, reconstruction, modification, or improvement of any dam, embankment, levee, dike, bridge, fill, or other obstruction in the floodplain or floodway of any stream.

Form DOW XXXX, including plans and specifications for such work, shall be submitted by the person or entity responsible for the construction, reconstruction, or improvement. If you have questions, contact the Dam Safety section at 502-564-3410 or email KYDamSafety@ky.gov.

1. APPLICATION FOR: NEW PERMIT MODIFICATION PERMIT # _____ RESPONSE TO VIOLATION

2. DAM OWNER: _____
Name of person(s), company, governmental organization, or other owner of the proposed or constructed dam.

MAILING ADDRESS: _____

TELEPHONE #: _____ EMAIL: _____

3. AUTHORIZED AGENT: _____
Name of person(s) submitting the application if other than property owner, if applicable, all fields are required.

MAILING ADDRESS: _____

TELEPHONE #: _____ EMAIL: _____

4. PROJECT ENGINEER: _____ P.E. NUMBER: _____

MAILING ADDRESS: _____

TELEPHONE #: _____ EMAIL: _____

5. DAM DESCRIPTION AND PURPOSE: _____

6. PROJECT ADDRESS: _____

COUNTY: _____ LATITUDE/LONGITUDE: _____
(Decimal Degrees only)

7. ESTIMATED CONSTRUCTION DATES: BEGIN: _____ END: _____

8. PROPOSED HAZARD CLASSIFICATION: HIGH SIGNIFICANT LOW

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9. HAS AN EMERGENCY ACTION PLAN BEEN SUBMITTED IN ACCORDANCE WITH 401 KAR 4:030: Kentucky Dam Design Requirements 2025 (DOW 4030-2 / DATE)?

YES NO IF YES, WHEN WAS THIS DOCUMENT LAST UPDATED? _____

10. ATTACHMENTS. [401 KAR 4:030: Kentucky Dam Design Requirements 2025 (DOW 4030-2 / DATE)]

Attachments shall bear the date, signature, and seal of a professional engineer as established in KRS 151.293.

- AERIAL MAP SHOWING DRAINAGE AREA AND CONSTRUCTION LOCATION
- HAZARD CLASSIFICATION REPORT
- HYDROLOGIC AND HYDRAULIC REPORT
- DESIGN REPORT
- DETAILED DRAWINGS AND SPECIFICATIONS
- GEOTECHNICAL EXPLORATION AND STABILITY ANALYSIS REPORT (High or Significant Hazard dam)
- SEISMIC ANALYSIS (High or Significant Hazard dam)
- EMERGENCY ACTION PLAN (High or Significant Hazard dam)

10. IS A VARIANCE REQUESTED? YES NO IF YES, PROVIDE A DETAILED EXPLANATION FOR THE REQUEST: _____

11. ARE STAGED RENOVATIONS REQUESTED? YES NO IF YES, PROVIDE THE FOLLOWING:

- EXPLANATION AND DOCUMENTATION OF THE INABILITY OF THE DAM OWNER TO IMMEDIATELY COMPLY WITH THE SAFETY STANDARDS CORRESPONDING TO THE DAM CLASSIFICATION
- A PROPOSED TIMELINE FOR COMPLETING RENOVATIONS AND ACHIEVING COMPLIANCE WITH THE DAM CLASSIFICATION SAFETY STANDARDS.
- CONTINUOUS FINANCIAL ASSURANCE COVERAGE TO THE CABINET COMMENSURATE WITH THE COST OF FULLY REHABILITATING THE DAM TO MEET SAFETY AND STRUCTURAL CRITERIA FOR ITS HAZARD CLASSIFICATION. SEE PAGE 3 FOR DETAIL.

I hereby request approval for construction, reconstruction, modification, or improvement of the dam, embankment, levee, dike, or other obstruction as described in this application and any accompanying documents. I hereby authorize the AGENT listed in section 3 above to submit documentation and communicate with the Cabinet on my behalf. By signing I certify that, to the best of my knowledge, all the information provided is true and correct.

OWNER SIGNATURE: _____ DATE: _____

PRINT NAME: _____

AUTHORIZED AGENT SIGNATURE: _____ DATE: _____
(agent submitting the application if other than property owner)

PRINT NAME: _____

Submit this permit application through the Eform system at <https://dep.gateway.ky.gov/eForms> use form 213 - Dam Safety Document Submittal or by mail to the Kentucky Division of Water, Dam Safety Section, 300 Sower Boulevard, Frankfort, KY 40601.

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CONTINUOUS FINANCIAL ASSURANCE COVERAGE:

Before the cabinet issues a permit for staged renovations, the owner of a dam requesting staged renovations shall provide financial assurance to the cabinet:

1. The financial assurance shall commensurate with the cost of fully rehabilitating the dam to meet safety and structural criteria for its hazard classification;
2. Be based on a detailed, current written estimate that includes the design and structural components ~~as~~ and signed and stamped by a professional engineer as established in KRS 151.260(2);
3. Increase the staged renovation cost estimate established in this subsection and the amount of financial assurance required by this section if materials, labor, or other construction costs increase the maximum cost of renovation at any time during the renovation;
4. Provide continuous financial assurance coverage for renovation until ~~the~~ cabinet inspection confirms that the dam is compliant with all safety and structural criteria for its hazard classification and the dam owner is released from financial assurance requirements; and
5. The financial assurance required by the cabinet shall:
 - a. Ensure the amount of funds is sufficient to cover the costs of renovation as established in this subsection;
 - b. Ensure that funds shall be available in a timely fashion;
 - c. Guarantee the availability of the required amount of coverage prior to beginning staged renovations;
 - d. Not exceed the limit of federal insurance if a financial institution that uses federal insurance to guarantee the availability of funds is providing the financial assurance;
 - e. Be provided by an institution or agency and under terms that shall be approved by the cabinet prior to securing the financial assurance and be submitted by:
 1. A Certified check, cashier's check, money order, or electronic payment made payable to the Kentucky State Treasurer, and deposited with the cabinet;
 2. Surety bond issued by a corporate surety licensed in the Commonwealth of Kentucky;

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CONTINUOUS FINANCIAL ASSURANCE COVERAGE, CONTINUED:

3. Certificate of Deposit made payable to the Kentucky State Treasurer and held by the cabinet;
4. Letter of Credit from an FDIC-insured bank or NCUI-insured credit union;
5. Combination of the above methods; or
6. Another method of financial assurance acceptable to the cabinet.

The owner of a dam shall keep a copy of the latest cost estimate until the dam owner has been notified by the cabinet that the final renovation complies with 401 KAR 4:030, and staged renovation financial assurance requirements have been released.

The owner of a dam may apply to the cabinet for release of the financial assurance for staged renovation by submitting a completed Kentucky Dam Safety Inspection Summary Form (DEP 4_030_3, DATE) certified by a professional engineer and demonstrating that the dam meets the criteria for its hazard classification established by 401 KAR 4:030.

The cabinet shall provide written notification of its decision on releasing the financial assurance within sixty (60) days of receiving the request.