



**DAM SAFETY**  
**POLICY MEMORANDUM #17**

**TO:** Dam Owners, Operators, and Engineers

**FROM:** Stormwater, Dam Safety, and Flood Management Program  
Water and Science Administration

**DATE:** April 24, 2023

**SUBJECT:** In-Kind Replacement of Spillway Structures

***Policy Statement***

It is the policy of the Maryland Department of the Environment (the Department) that the design of dam embankments considers potential failure modes and incorporate defensive design measures as appropriate. The Department has observed instances where in-kind replacements of spillways (riser and barrel) are assumed to not require an analysis of the hydraulic adequacy of the existing spillway and, in some cases, are assumed to not require permitting/approvals.

This policy clarifies that the in-kind replacement of spillway structures requires appropriate small pond approval (or Dam Safety permits). Further, the hydrology and hydraulics of the structure must be evaluated by a Professional Engineer licensed in the State of Maryland (or individual granted Job Approval Authority by the State Conservation Engineer, or delegate) and confirmed to meet current design standards.

The evaluation of the hydrology and hydraulics may consist of a review of previously approved designs/computations to determine and affirm that the relevant engineering parameters remain unchanged (e.g., time of concentration, runoff curve number, land use, land cover, Atlas14 rainfall depth and distribution).

For all spillway replacement projects, a new evaluation of the hazard classification is required.

***Additional Information***

Questions about this policy or other items relating to ponds and dams can be directed to the Chief of the Dam Safety Permits Division at 410-537-3552.