**74:02:08:07.  Minimum spillway design flood requirements -- Exception.** The hydraulic capacity of a dam must, by category and size, be such that the following minimum spillway design floods can be passed through the spillways without overtopping the structure:

|  |  |  |
| --- | --- | --- |
| **CATEGORY** | **SIZE** | **SPILLWAY DESIGN FLOOD** |
|  |  |  |
| 3 | Small | 50-year frequency unless dam |
|  |  | qualifies for § 74:02:08:07.01 |
|  |  | exception |
|  |  |  |
|  | Intermediate | 100-year frequency |
|  | Large | 0.5 PMF |
|  |  |  |
| 2 | Small | 100-year frequency |
|  | Intermediate | 0.5 PMF, unless dam qualifies |
|  |  | for § 74:02:08:07.02 exception |
|  |  |  |
|  | Large | PMF |
|  |  |  |
| 1 | Small | 0.5 PMF |
|  | Intermediate | 0.5 PMF |
|  | Large | PMF |

 A spillway system for a dam must meet the requirements in this section unless the owner can provide information and justification to show the chief engineer that the proposed design flow can be stored, passed through, or passed over the dam without failure of the dam or if a variance is granted pursuant to SDCL 46-7-5.3.

 **Source:** 13 SDR 49, effective October 27, 1986; 13 SDR 129, 13 SDR 141, effective July 1, 1987; 13 SDR 197, effective July 2, 1987; 14 SDR 67, effective November 8, 1987.

 **General Authority:** SDCL 46-2-5, 46-7-3.

 **Law Implemented:** SDCL 46-5-8, 46-5-30, 46-7-3, 46-7-5, 46-7-5.3.