



North Carolina Department of Environment and Natural Resources
Division of Land Resources

Land Quality Section

James D. Simons, PG, PE
 Director and State Geologist

Beverly Eaves Perdue, Governor
 Dee Freeman, Secretary

February 25, 2010

Town of Black Mountain
 160 Midland Road
 Black Mountain, NC 28711

**RE: Black Mountain Reservoir (State ID No. - BUNCO-007)
 Dam Hazard Potential: HIGH; Buncombe County**

Dear Sir or Madam:

The Dam Safety Law of 1967 provides for the certification and inspection of dams in the public interest. Our records indicate you are the owner of the referenced dam, which was inspected by personnel of this office on February 16, 2010. The inspection revealed no problems that require your immediate attention. The potential for property damage and loss of life downstream in the event that your dam fails was also investigated. It was determined that sudden failure of your dam could result in serious property damage and possible loss of life.

Please be advised that though we make every reasonable effort to determine the safety of your dam, our resources limit us to surficial inspection. There is no certainty regarding the internal stability of the dam. Dams, and especially their spillways and conduits, deteriorate with age. Therefore, you are advised to keep a close watch on your dam and to notify this office if you detect any changes, especially cracks, ground movements, or changes in seepage rate or color.

Although the inspections by our staff are relatively infrequent and offer no absolute safety guarantees, we hope that you will use the information provided in this letter as you fulfill your obligation to safely maintain and operate your dam. In order to keep records up-to-date and serve you better, please notify this office concerning any changes in address or ownership. Your cooperation is appreciated.

An updated Emergency Action Plan (EAP) is needed for this dam. The EAP must include all downstream hazards and all local emergency contact information. An EAP shell document can be reviewed at our website at <http://www.dlr.enr.state.nc.us/pages/dam-safety-program.html>. Two copies of the EAP shall be submitted to the Division of Land Resources, 1612 Mail Service Center, Raleigh, NC 27699-1612, Attn: Mr. Steve McEvoy, PE, State Dam Safety Engineer, and a copy shall be provided to the local emergency management office.

If you have an emergency situation during non-office hours, you should notify the Division of Emergency Management's State Warning Point at 1-800-858-0368. They will notify the appropriate personnel in this office of the situation.

Should you have any questions concerning this inspection, please contact me at 828/296-4600.

Sincerely,

Darlene Kucken
 Land Quality Section



North Carolina Department of Environment and Natural Resources
 Division of Land Resources
 Land Quality Section

cc: MARCY
 JIM
 RICK
 ELIZABETH

James D. Simons, PG, PE
 Director and State Geologist

Beverly Eaves Perdue, Governor
 Dea Freeman, Secretary

March 5, 2010

Notice of Inspection with Maintenance

Town Of Black Mountain
 160 Midland Rd
 Black Mountain, NC 28711

RE: **Lake Tomahawk Dam, State ID No. BUNCO-065**
 Hazard Potential: High; Buncombe County

Dear Sir or Madam:

The "Dam Safety Law of 1967, as amended" provides for the certification and inspection of dams in the interest of public health, safety, and welfare, in order to reduce the risk of failure of such dams; to prevent injuries to persons, damage to property; and to insure the maintenance of stream flows.

Our records indicate you are the owner of the referenced dam that was inspected by personnel of this office on February 16, 2010. The inspection revealed the following maintenance problems, which must be addressed:

- An audible alarm system for the subject dam is required due to the fact that the spillway system for the dam was designed for the 100 year storm instead of the 1/3 PMP storm. It is our understanding that the audible alarm system is not currently in place nor functional. The audible alarm system must be re-installed as approved
- The file for the subject dam contains a letter of approval to impound dated June 17, 1983. The letter states that "The audible warning system as proposed in section VII, "Specifications", Repairs and Modifications, June 3, 1983 submittal must be provided with a direct current (battery) back-up power supply in addition to the primary power source.

During this inspection we also investigated the potential for property damage and loss of life in the event your dam fails. This investigation determined that failure of your dam could result in serious property damage and possible loss of life. Therefore, we are listing your dam in the "HIGH Hazard" category.

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Notice of Maintenance
BUNCO-065
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The Division of Land Resources must approve any excavation, modification, or major repair of the dam. Draining the lake by cutting a notch in the dam, or otherwise breaching the dam, without prior approval, is a violation of State Law.

The "Dam Operation Maintenance and Inspection" manual published by this Department provides inspection guidelines and recommended routine dam maintenance for the owner and emergency procedures in the event of possible dam failure. A copy of this manual is available online at http://www.dlr.enr.state.nc.us/images/DamSafetyManual_rev_20061003.pdf or contact this office.


Although we make every reasonable effort to determine the safety of your dam, our resources limit us to a visual inspection. We hope that you will use the information provided in this letter as you fulfill your obligation to safely maintain and operate your dam. Dams are constantly changing, their spillways and conduits deteriorate and the dam itself is under constant pressure. Therefore, you should keep a close watch on your dam and notify us if you detect any changes, especially cracks, ground movements, or changes in seepage rate or color.

In the event that a possible problem is found, you should contact a registered professional engineer and this office to inspect the dam. In order to help us keep your records up to date and, therefore, serve you better, please notify us concerning any changes in ownership. Your cooperation in this effort is greatly appreciated.

An Emergency Action Plan (EAP) is needed for this dam. The EAP must include all downstream hazards and all local emergency contact information. An EAP shell document can be reviewed at our website at <http://www.dlr.enr.state.nc.us/pages/damsafetyprogram.html>. Two copies of the EAP shall be submitted to the Division of Land Resources, 1612 Mail Service Center, Raleigh, NC 27699-1612, Attn: Mr. Steve McEvoy, PE, State Dam Safety Engineer, and a copy shall be provided to the local emergency management office.

If you have an emergency situation during non-office hours, you should notify the Division of Emergency Management's State Warning Point at 1-800-858-0368. They will notify the appropriate personnel in this office of the situation. Should you have any questions concerning this inspection, please contact Darlene Kucken or me at (828) 296-4500 during normal office hours.

Sincerely,


Janet S. Boyer, P.E.
Regional Engineer