20110621-0005 FERC PDF (Unofficial) 06/17/2011

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D. C. 20426

OFFICE OF ENERGY PROJECTS

Project No. 11475-014 – Vermont & New York
Carver Falls Hydroelectric Project
Central Vermont Public Service Corporation

Mr. Michael Scarzello
Generation Asset Manager
Central Vermont Public Service Corporation
77 Grove Street
Rutland, VT 05701

June 17, 2011

Re: Notification of Nonconformance with Article 402

Dear Mr. Scarzello:

This letter is in response to your report filed May 17, 2011, regarding a May 10, 2011 deviation from the requirements of article 402 of the license for the Carver Falls Project (FERC No. 11475).[1]

Article 402 requires the licensee to operate the project in a run-of-river mode and release minimum flows as required by condition B of the Vermont Water Quality Certification and conditions 2 and 3 of the New York Water Quality Certification for the protection of aquatic habitat and water quality in the Poultney River. Run-of-river operation and minimum flow releases may be temporarily modified if required by operating emergencies beyond the control of the licensee, or for short periods upon agreement among the licensee, the Vermont Agency of Natural Resources (Vermont ANR), the New York State Department of Environmental Conservation (New York DEC), and the U.S. Fish and Wildlife Service (FWS). If run-of-river operation or any minimum flow is so modified, the licensee shall notify the Commission, the Vermont ANR, New York DEC, and the FWS as soon as possible, but no but no later than 10 days, after each such incident.

In the pertinent part, condition B of the Vermont Water Quality Certification requires, for the time period of April 1 through May 15, a minimum flow of 50 cubic feet per second (cfs) to be released into the bypassed reach for the enhancement of walleye spawning.

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[1] 126 FERC ¶ 62,144 (2009).

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Your filing reported run-of-river and minimum bypass flow deviations on the morning of May 10, 2011, due to debris lodged in the broome gate opening. At an unspecified time during the evening of May 9 or early morning of May 10, a large tree partially blocked the broome gate used to pass minimum flows. At approximately 6:00 a.m., CVPS staff began debris removal efforts including a lowering of the impoundment over a three hour period. The broome gate was switched to manual operation mode during the debris removal effort, and when the debris was dislodged at approximately 9:30 a.m. the operator closed the broome gate and left its operation in manual mode. The control center was not able to regain control of the gate for two hours, which prevented any flows from passing through the broome gate to the bypassed reach. However, a calculated bypass flow of 28 cfs was believed to have been passed through the sluiceway during this time period. The report states there were no visibly observable effects on downstream water quality.

Based upon review of the available information, we have determined that the temporary deviation on May 10, 2011, was caused by operator error and, although approximately half of the required flow is believed to have been maintained, the deviation occurred during a time period of increased environmental sensitivity due to walleye spawning. Therefore, we conclude that this deviation is a violation of your license and we will add this incident to the compliance history of the Carver Falls Project, without recommending any further enforcement action or penalties at this time.

Additionally, our review of the filed material indicates power production was in excess of the project's authorized installed capacity. As amended, the license authorizes, in the pertinent part, a 1,451-kW turbine generating unit with a maximum hydraulic capacity of 177 cfs and an 800-kW turbine generating unit with a maximum hydraulic capacity of 92 cfs, for a total installed capacity of 2,251-kW and a total hydraulic capacity of 269 cfs.[2] Within 30 days of the date of this letter, you must file a report with the Commission explaining the discrepancy, comparing actual and authorized generating and hydraulic capacities, and include photo documentation of the generating units' nameplate capacities.

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[2] 134 FERC ¶ 62,020 (2011).

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Thank you for your cooperation. If you have any questions regarding this letter, please contact Mr. Christopher Chaney at (202) 502-6778.

Sincerely,

William Guey-Lee

William Guey-Lee
Chief, Engineering Resources Branch
Division of Hydropower Administration
and Compliance

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