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Central Vermont Public Service Corporation

Filed Electronically

May 17, 2011

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
Mail Code DLC, HL-II.2
888 1st Street NE, Room IA
Washington, DC 20426

Re: Carver Falls Hydroelectric Project, FERC Project No. 11475
Notice of Nonconformance with License Article 402

Dear Secretary Bose:

Central Vermont Public Service (CVPS) was issued a new Federal Energy Regulatory Commission (FERC) license to operate the Carver Falls Hydroelectric Project, Project No. 11475, on February 25, 2009. Corresponding Water Quality Certifications were issued by the State of Vermont on December 5, 2008, and the State of New York on April 21, 1995 (revised December 13, 1996). The Project is located on the Poultney River in the towns of West Haven, Vermont and Hampton, New York. Both the New York State (Condition 2) and the Vermont (Condition B) Water Quality Certification require that the Project be operated in strict run-of-river mode. Article 402 of the FERC License requires project operation and minimum flows consistent with the certification conditions, but allows for temporary modifications to project operation for emergency conditions beyond the control of the licensee. Furthermore, the License and FERC's *Order Approving Operations Compliance Plan Pursuant to Article 401(A), Water Quality Certifications Conditions Nos. 4, D, and E* (Issued January 21, 2010) require that if flows through the project deviate from license requirements, the licensee shall file a report with the Commission, the New York Department of Environmental Conservation (DEC), the Vermont DEC, and US Fish & Wildlife within 10 days of the date the data becomes available regarding the incident, in accordance with Article 402.

This communication serves to inform FERC and other State and Federal agencies of an incident of nonconformance with License Articles 402 for the Carver Falls Hydroelectric Project that occurred on May 10, 2011.

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Problem Identification

Due to heavy rains and high flows, CVPS has been releasing excess flow over the NY spillway portion, through the broome gate and surface sluiceway adjacent to the intake structure, while maintaining a continuous minimum flow to the bypassed reach of 50 cfs, as required by Condition 13 of the New York State WQC and Condition B of the Vermont WQC. At some point during the afternoon of May 9 or early morning of May 10, the root ball of a large tree became lodged in the broome gate opening. CVPS operations staff initiated efforts to dislodge the object at approximately 6:00 am on the morning of May 10th. The CVPS control center began to lower the headpond elevation over an approximately 3 hour period by both increasing generation and increasing the gate opening. During this operation the headpond was lowered below the elevation of the spillway crest of 231.8 feet, and no spillage occurred for a period of about 2.5 to 3 hours, as depicted on the attached charts showing headpond level and USGS gage data from immediately downstream of the Project.

During this effort the broome gate was switched to manual mode. Once the tree root was dislodged, at approximately 9:30 a.m. the operator closed the broome gate and departed, unintentionally leaving the gate set to manual operation. There was no flow passing through the broome gate for approximately 2 hours, until the CVPS control center was able to regain remote control of the gate. This resulted in a reduction in flow through the bypassed reach, to below the required 50 cfs. A bypass flow calculated at 28 cfs was maintained through the sluiceway into in the bypass reach during this period.

Details of the Incidents

CVPS conducted a review of the license articles and operations plan and determined that the May 10, 2011 event was a violation of Article 402 of the FERC License and the New York and Vermont WQCs. On this date an obstruction in the broome gate opening required lowering of the headpond below the spillway elevation in order for maintenance personnel to safely access, investigate to remove the obstruction. This caused a deviation in run-of-river mode for a period of 5 to 6 hours.

Once the obstruction was removed, the broome gate was fully closed and left on manual mode for a two hour period due to operator error. Closure of the broome gate, with no spill over the dam resulted in reduced flow through the bypass reach, violating the 50 cfs required by the New York and Vermont WQC. The gate was reopened within a 2 hours, rectifying the situation.

Adverse Effects

The May 10th event resulted in no visibly observable effects on downstream water quality conditions, based on staff observations. A bypass flow of approximately 28 cfs was maintained. There was no evidence that any part of this river reach was significantly dewatered as a result of these events, nor were there any reports or observations of adverse effects to aquatic biota resident to the affected reach.

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CVPS Remedial Actions

To ensure that similar incidents do not recur, CVPS is investigating the feasibility of installing a modified rack structure upstream of the broome gate, and designed to keep large objects from becoming lodged in the gate opening.

If you have any questions, please feel free to contact me.

Sincerely,

Beth Eliason
Environmental Engineer

Electronic cc: B. Fitzgerald, VTDEC
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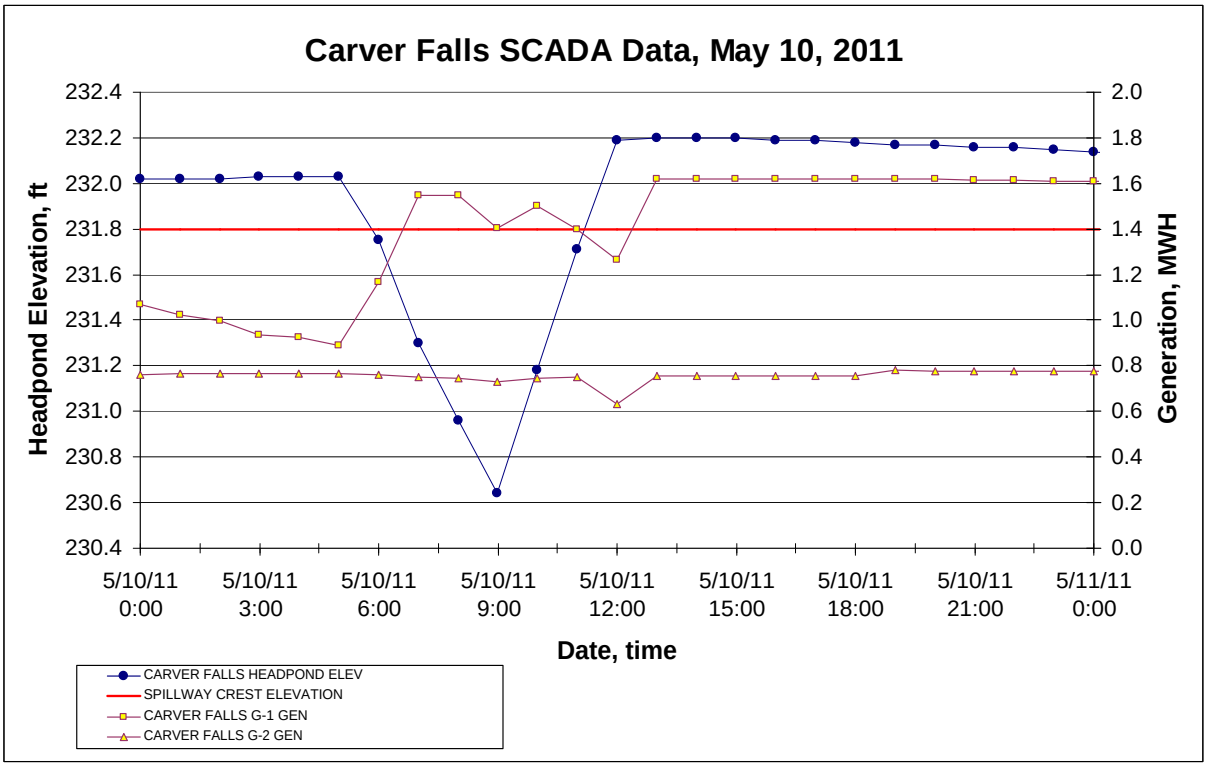

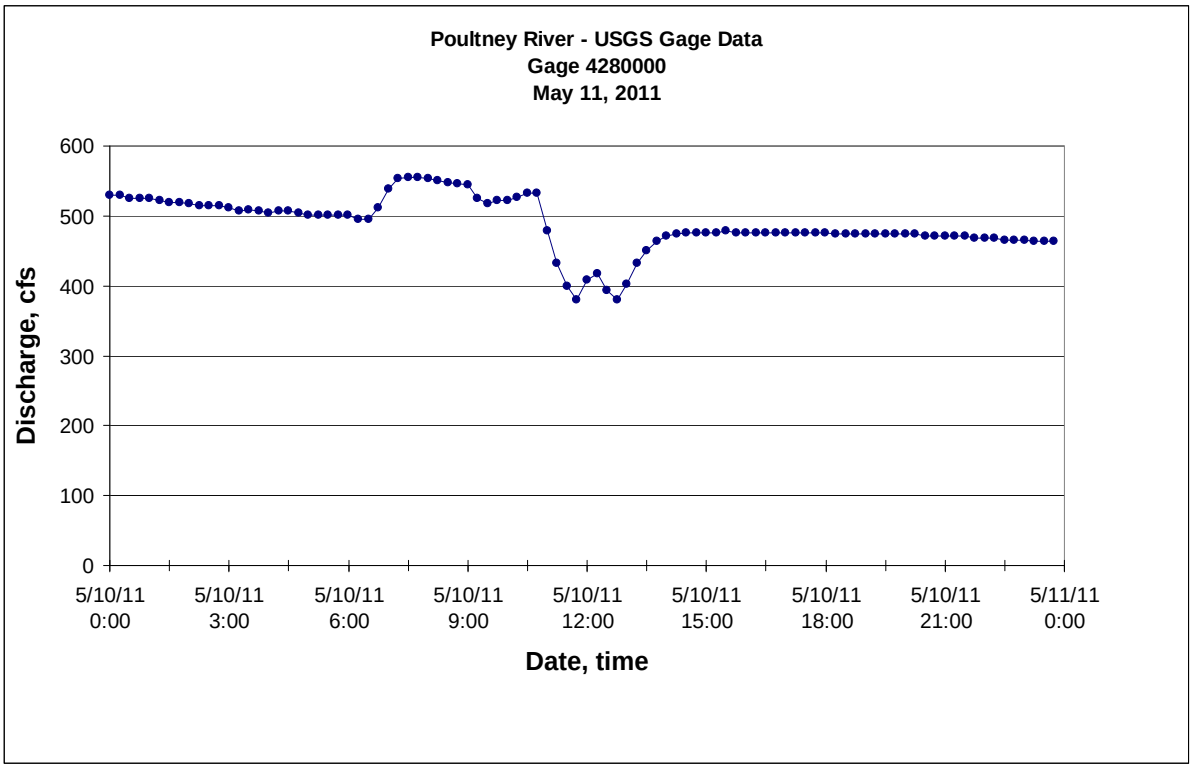

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