

**FEDERAL ENERGY REGULATORY COMMISSION**

**Office of Energy Projects**

**Division of Dam Safety and Inspections – New York Regional Office**

**19 West 34<sup>th</sup> Street, Suite 400**

**New York, NY 10001**

**Telephone No. (212) 273-5900**

**Fax No. (212) 631-8124**

In reply refer to:

P-12555-PA, Mahoning Creek  
NATDAM # PA00107

Notice to Proceed  
Construction of Bridge, Access  
Road, Geotechnical Investigation,  
Intake and Powerhouse  
Construction

March 12, 2013

Mr. John R. Collins  
Mahoning Creek Hydroelectric Co., LLC  
c/o Enduring Hydro, LLC  
5425 Wisconsin Avenue, Suite 600  
Chevy Chase, MD 20815

Dear Mr. Collins:

We acknowledge receiving the bridge abutment design computations and drawings emailed by Mr. David Nammour of your organization on February 11, 2013 in response to our letter dated January 31, 2013. The email states that additional temporary bridge supports will be provided by the contractor to allow the bridge to handle the large construction loads that exceed the bridge's permanent capacity. We note that the bridge abutment design is based on a rock foundation at elevation 1010.0 feet, about 6.5 feet below the top of the roadway. Please note that the bridge abutment design should be revised if rock is not encountered at the assumed elevation.

We also received emails from Mr. Andrew Longenecker of your organization on March 8 and March 11, 2013, attaching the following permits and approvals:

**Contains Critical Energy Infrastructure Information**

**- Do Not Release -**

- Approval for Property Use Request dated January 17, 2013 issued by Pennsylvania Fish and Boat Commission (PFBC).
- Building Permit dated February 5, 2013 issued by Wayne Township, Armstrong County.
- Water Obstruction & Encroachment Permit dated February 19, 2013 issued by Pennsylvania Department of Environmental Protection (PADEP).
- Limited Power Permit dated March 7, 2013 issued by PADEP.
- Section 408 Permit dated March 8, 2013 issued by U.S. Army Corps of Engineers (USCOE).
- Section 404 Permit dated March 8, 2013 issued by U.S. Army Corps of Engineers (USCOE).

We note that the Water Obstruction & Encroachment Permit states that “no works shall be done in the watercourses between March 1 and June 15 without the prior written approval of the PFBC”. You are reminded of your responsibility to obtain and adhere to all necessary permits from local, state and federal agencies for the work.

Based on the Potential Failure Modes Analysis (PFMA) conducted on January 8 and 9, 2013 and the follow-up conference call held on February 21, 2013, the following design risk reduction measures were emailed by Mr. Mark Garner of your organization:

- Technical Memorandum on Hydraulic Transient Analysis dated February 19, 2013 prepared by Mead & Hunt.
- Technical Memorandum on the Plate and Weld Design at Intake Structure.

We have reviewed the submittals and found to be acceptable. Your request to start working on the bridge, access road, geotechnical investigation, and intake and powerhouse construction is granted.

However, we note that the resolution of the following additional risk reduction measures is pending. Notice to proceed with the construction of vault and penstock will be issued after these issues are adequately addressed

- Testing of dam concrete cores near the proposed valve vault and intake
- Revision of the valve vault anchor placement to avoid any potential impact with the penstock
- Development of additional details for the central caisson support for the valve vault
- Assessment of the penstock support after geotechnical investigation.

As conveyed in our letter dated May 11, 2012 to the previous agent Advanced Hydro Solutions, the Soldier Pile Wall and Tieback design should be checked after the geotechnical investigation is completed. Please also note that all the design changes and design risk reduction measures are to be approved by USCOE and by us prior to implementation.

You are required to submit monthly construction progress reports and a final construction report at the completion of the proposed work including photographs and as-built drawings. Please use the Attachment-1 construction report format as applicable.

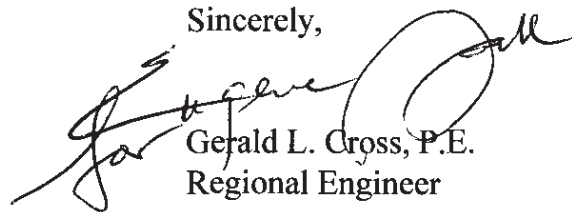
**Certifications Following Construction**

Note that at the completion of construction you are to submit to this office a letter with the following certifications:

- A certification by the Design Engineer that the project was constructed in accordance with the design intent.
- A certification by the Quality Control Manager that the results of the inspection and testing program results in a conclusion that the work was constructed in accordance with the plans and specifications.
- A certification from the Licensee that the construction fulfills the design intent and was constructed in accordance with the plans and specifications reviewed by the FERC.

If you have any questions on this matter, please contact Mr. Sockanathan at (212) 273-5956.

Sincerely,



Gerald L. Cross, P.E.  
Regional Engineer

CC: Mr. Jeffrey Benedict, P.E.  
FERC Hydropower Coordinator  
Pittsburgh District, US Army Corps of Engineers  
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1000 Liberty Avenue  
Pittsburgh, PA 15222-4186