

APPENDIX B-4
FERC ORDER APPROVING AND MODIFYING P-2392 WATER QUALITY
MANAGEMENT PLAN
DTD AUGUST 31, 1994

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Simpson Paper Company

Project No. 2392-007
Vermont

ORDER APPROVING AND MODIFYING WATER QUALITY MANAGEMENT PLAN

(Issued August 31, 1994)

On July 12, 1994, and supplemented August 11, 1994, the Simpson Paper Company (licensee) filed its water quality management plan pursuant to the requirements of article 404 of the project license for the Gilman Project (FERC No. 2392), issued April 13, 1994. Article 404 requires the licensee, after consultation with the U.S. Fish and Wildlife Service (FWS), the New Hampshire Fish and Game Department (NHFGD), and the Vermont Agency of Natural Resources (VANR), to file a plan to monitor the dissolved oxygen (DO) concentration and water temperature of the Connecticut River downstream and upstream of the Gilman Project.

Licensee's proposed water quality management plan

The licensee proposes to monitor DO concentration and water temperature over a three day period at the same locations as used over the past several years. Monitoring will be conducted at the Railroad Bridge (river mile 302.9), upstream of Gilman dam (river mile 300.5), and at the Dalton-Gilman Bridge (river mile 300.0). Sampling will consist of measurements taken in the late afternoon and the following morning prior to local sunrise to document the diurnal range of any oxygen and temperature fluctuation. Monitoring will be conducted over one period in each July, August, and September for three years (1994, 1995, and 1996). Timing of these sampling periods will be to coincide with low flow periods of the river.

The total Connecticut River flow at the Dalton, New Hampshire U.S. Geological Survey gage and the estimated spillage at the dam at the time of sampling will also be recorded. Water temperature and DO concentration will be measured in-situ by use of a portable DO and temperature meter. Before calibration of the meter each day, the meter will be turned on for a minimum of 15 to 20 minutes to allow the probe to polarize. Once calibrated, the meter will be left on through the entire sampling run to maintain the polarization. Following the sampling run, the calibration will again be checked to determine any drift. If a drift equal to or greater than 0.3 mg/l is found, the DO results must be adjusted commensurately.

Following completion of the September sampling a summary report will be prepared and submitted to the NHDES, NHFGD, and the VANR. A final report will be prepared at the end of the three years of monitoring. Following submittal of the final

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report, the licensee will consult with these agencies to determine if further sampling is needed.

Agency comments

In a letter dated June 17, 1994, the NHDES concurred with the plan, but reminded the licensee that the monitoring condition is not limited to three years and may be extended if needed. By letter dated July 6, 1994, the VANR stated they would concur with the plan, but recommended that the licensee change morning sampling time from "prior to 0800 hours" to "prior to sunrise" and that dam spillage, if any, be recorded in addition to the flow at the Dalton gage. The licensee incorporated the VANR's comments into the plan. The FWS, in a telephone conversation with the licensee on June 30, 1994, stated that since the VANR, the NHDES, and the NHDFG were commenting on the plan, the FWS would not provide comment.

Conclusions and recommendations

The licensee's proposed monitoring strategy of sampling twice a day (prior to sunrise and in the late afternoon) during a three-day period each in July, August, and September, coinciding with low flow periods of the river, for three years (1994-1996), may not provide an adequate representation of DO concentration and water temperature conditions in the Connecticut River. Since timing of the samples will be to coincide with low flow periods of the river, sampling would occur when river water quality conditions would be at the extreme and therefore not characteristic of the entire July thru September period. However, the licensee proposes to submit a summary report to the agencies following the completion of the September sampling and a final report after the three years of monitoring. After submittal of the final report, the licensee would consult with the resource agencies to determine if further sampling is needed.

To ensure that the licensee's proposed monitoring provides an adequate representation of water quality conditions in the Connecticut River, the licensee, after consulting with the NHDES, NHDFG, FWS, and VANR, and within 90 days after the September 1994 sampling period, should file for Commission approval, a sampling frequency plan for 1995. The plan filed should be based on the current sampling year's monitoring results, and should address whether to continue the current sampling strategy that was originally proposed or to increase the frequency of sampling. The licensee should include comments from the consulted agencies on the plan. The Commission should reserve the right to require changes to the plan. The licensee's proposed water quality management plan, with the modifications described above, should therefore be approved.

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The Director orders:

(A) The licensee's water quality management plan, filed on July 12, 1994, and supplemented August 11, 1994, as modified by paragraph (B), is approved.

(B) The licensee, after consulting with the Fish and Wildlife Service, the New Hampshire Fish and Game Department, the Vermont Agency of Natural Resources, and within the approval, a sampling frequency plan for 1995. The licensee shall be based on the current sampling year's monitoring results, and address whether to continue the current sampling strategy that was originally proposed or to increase the frequency of sampling. The licensee shall include comments from the consulted agencies on the plan. The Commission reserves the right to require changes to the plan.

(C) Unless otherwise directed in this order, the licensee shall file an original and eight copies of any filing required by this order with:

The Secretary
Federal Energy Regulatory Commission
Mail Code: BRCA, HL-21.1
825 North Capitol Street, N.E.
Washington, D.C. 20426

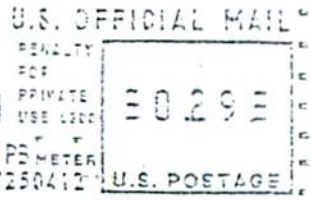
In addition, the licensee shall serve copies of these filings on any entity specified in this order to be consulted on matters related to these filings. Proof of service on these entities shall accompany the filings with the Commission.

(D) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 CFR § 385.713.

(Handwritten initials)
J. Mark Robinson
Director, Division of Project
Compliance and Administration

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

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