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DEPARTMENT OF ENVIRONMENTAL SERVICES
WATER SUPPLY & POLLUTION CONTROL DIVISION

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December 13, 1991

Bob B.

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John Slagle
Kleinschmidt Associates
75 Main St., PO Box 576
Pittsfield, ME 04967

Re: Water Quality Certificate (pursuant to Section 401 of the Clean Water Act): FERC Project #2326. James River-Cross Power Hydroelectric Project, Berlin, NH.

Dear Mr. Slagle:

The Division has determined that under the conditions outlined in this certificate, FERC Project #2326 will comply with the applicable provisions of Section 301, 302, 303, 306, and 307 of the Clean Water Act as amended.

The following condition is placed on this section 401 Water Quality Certificate:

- 1) If it is determined through James River-NH Electric Inc. sampling at the Shelburne project (FERC # 2300) that there is a Class B dissolved oxygen violation, the following water quality monitoring program will be initiated immediately by James River-NH Electric Inc. at the Cross Project to determine if the Cross facility is the cause of the violation. If it is determined by DES that the Cross project is not causing the violation at Shelburne, sampling will be discontinued.
 - (a) Dissolved oxygen and water temperature must be monitored at three stations in the Androscoggin River; upstream of the Cross impoundment, at three depths in the Cross impoundment (surface, bottom, and mid-depth), and downstream of the dam, as specified by DES-WSPCD.
 - (b) Monitoring must occur between 6 am and 8 am.
 - (c) Equipment calibration and quality control measures must be followed to assure accurate reporting.
 - (d) Monitoring events will be conducted under as close to limiting water quality conditions as possible (ie. If possible, water temperatures of 20°C or greater and river flows below 2000 cfs).
 - (e) Water quality monitoring and QA/QC results must be reported on an annual basis and a yearly summary report must be submitted to DES-WSPCD.



If structural and/or operational modifications are made at the Cross Power Project beyond the scope of the plans submitted for review by DES, this Section 401 certificate shall be void, and a new Section 401 certificate must be applied for. In addition, if a FERC license has not been issued for this project effective January 1, 1994, this Section 401 certificate shall be void, and a new Section 401 certificate must be applied for.

This office reserves the right to gain access to the Cross Project site at any time to check monitoring equipment and records to assure compliance with New Hampshire's Class B water quality standards.

Finally, all existing river uses must be maintained and protected, and at no time shall Class B water quality standards be violated.

Sincerely,



Edward J. Schmidt, P.E., Ph.D.
Director

RBJ/EJS/tmk:B2060

cc: Delbert Downing - NHWB
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