

UNITED STATES OF AMERICA 61 FERC ¶ 62,042
FEDERAL ENERGY REGULATORY COMMISSION

Consolidated Water Power Company

Project No. 1953-011
Wisconsin

ORDER APPROVING AND MODIFYING
DISSOLVED OXYGEN MONITORING PLAN
(Issued October 16, 1992)

On April 24, 1992, Consolidated Water Power Company (licensee) filed a dissolved oxygen (DO) monitoring plan as required by article 406 of the license for the DuBay Hydroelectric Project, FERC No. 1953. Article 406 requires the licensee, after consulting with the Wisconsin Department of Natural Resources (WDNR) and the U.S. Fish and Wildlife Service (FWS), to develop a plan and schedule to monitor and report temperature and DO levels in the project tailrace and to determine the effectiveness of the skimming weir in maintaining DO concentrations in compliance with state standards. The plan is to include comments from the WDNR and the FWS.

The licensee proposed to monitor water temperature and DO levels from a downstream pier between two generating units. Information from the monitor would be read remotely at the licensee's dispatch center. When DO levels approach state standards (5.0 milligrams per liter), the licensee proposes to install a skimming weir at the project intake to draft water only from the upper third of the reservoir.

To evaluate the effectiveness of the skimming weir, the licensee would conduct tests to monitor and compare DO levels throughout the water column above the weir and in the mixed water immediately below the turbine discharge. The proposed testing would be conducted throughout the year and perhaps longer depending on the monitoring results. The licensee proposed to report the results of the monitoring within 90 days from the date of the last weir test.

By letter dated April 3, 1992, the WDNR commented on the proposed plan. By letter dated April 16, 1992, the licensee responded to the WDNR comments with further clarification of its plan. The FWS did not comment on the plan.

The plan does not include a specific date for filing the final report along with any recommendations for additional measures that may be necessary to maintain downstream DO levels. The plan also fails to include provisions to notify the Commission should DO levels drop below state standards. The licensee should file the final report within 2 years from the date of issuance of this order and should notify the Commission if DO levels drop below state standards.

The Director orders:

(A) The DO monitoring plan for the DuBay Hydroelectric Project, FERC Project No. 1953, filed on April 24, 1992, as modified by paragraphs B and C, is approved.

(B) The licensee shall file the final report required by article 406 within 2 years from the date of issuance of this order.

(C) If a violation of the state water quality standards occurs, the licensee shall file a report with the Commission within 30 days from the date the data become available indicating the violation. This report shall identify the cause, duration, and severity of the violation, any environmental impacts resulting from the violation, and the measures that the licensee implemented to correct the violation. Based on this report and the Commission's evaluation of the violation, the Commission reserves the right to require modification to project facilities and operations.

(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 C.F.R. § 385.713.

J. Mark Robinson
Director, Division of Project
Compliance and Administration

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