

146 FERC ¶ 62,056
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Public Utility District No. 1 of Douglas County,
Washington

Project No. 2149-164

ORDER APPROVING SPILL PREVENTION CONTROL AND COUNTERMEASURE
PLAN UNDER ARTICLE 401
(January 24, 2014)

1. On October 15, 2013, Public Utility District No. 1 of Douglas County, Washington (Douglas PUD), licensee for the Wells Hydroelectric Project, FERC No. 2149, filed a Spill Prevention Control and Countermeasure Plan (SPCC) pursuant to Article 401(a) of the license.¹ The project is located on the Columbia River in Douglas, Okanogan, and Chelan counties, Washington.

LICENSE REQUIREMENT

2. Under Article 401(a) of the license, Douglas PUD is required to file for Commission approval, within one year of license issuance, an Updated SPCC Plan. The SPCC Plan is required by Washington Ecology's Section 401 Water Quality Certification (WQC) Condition No. 6.7(5)(a), and National Marine Fisheries Service's (NMFS) Incidental Take Statement Term and Condition No. 2. The SPCC Plan is to be developed in consultation with the parties to the Aquatic Settlement Agreement (ASA), the NMFS and the Bureau of Indian Affairs (BIA).

AGENCY CONSULTATION

3. In the filing, Douglas PUD states that the final SPCC Plan was developed in consultation with the parties to the ASA including the U.S. Fish and Wildlife Service (FWS), the U.S. Bureau of Land Management (BLM), the Washington State Department of Fish and Wildlife (Washington DFW), Washington Ecology, the Confederated Tribes of the Colville Reservation (CCT), and the Confederated Tribes and the Bands of the Yakama Nation.

¹ *Public Utility District No. 1 of Douglas County, Washington*, 141 FERC ¶ 62,104 (2012).

4. In an electronic correspondence dated August 20, 2013, Washington Ecology stated that the SPCC Plan was recently updated and approved in 2010, and that the current plan is satisfactory. Therefore, no further review or modifications are needed. The next scheduled review of the SPCC Plan will be before August 2015. The Updated SPCC was approved by the ASA during the Aquatic Settlement Work Group meeting at the Douglas PUD Headquarters held on October 9, 2013.

THE LICENSEE'S PLAN

5. The SPCC Plan along with the Oil Spill Contingency Plan details procedure, methods, equipment, and materials that will be used to prevent, contain, or clean up an oil spill, and provide adequate countermeasures to prevent discharge of oil in navigable waters of the United States. The following are included in the SPCC Plan:

- 1) Facility Analysis
- 2) Maintenance and Inspection Procedures
- 3) Training of Personnel
- 4) Oil Spill Contingency Plan
- 5) Notification and Documentation Requirements; and
- 6) Washington State rules, Regulations, and Guidelines

DISCUSSION AND CONCLUSION

6. After reviewing the information provided, we find that Douglas PUD No. 1 Updated SPCC's Plan fulfills the requirements of Article 401(a) and Section 401 WQC requirements. Accordingly, the SPCC Plan is approved by this order.

The Commission orders:

(A) The Spill Prevention Control and Countermeasures Plan, filed by Public Utility District No.1 of Douglas County, Washington on October 15, 2013, pursuant to Article 401(a) of the license for the Wells Hydroelectric Project No. 2149 is approved, effective on the first day in which this order is issued.

(B) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 8251 (2006), and the Commission's regulations at 18 C.F.R. § 385.713 (2013). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

M. Joseph Fayyad
Engineering Resources Branch
Division of Hydropower Administration
and Compliance

Document Content(s)

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