



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
STATE HOUSE STATION 17                      AUGUSTA, MAINE 04333

DEPARTMENT ORDER  
IN THE MATTER OF

PUMPKIN HILL HYDRO COMPANY, INC.                      ) SMALL HYDROELECTRIC GENERATING  
Lowell, Maine, Penobscot County                      ) FACILITIES ACT PERMIT and  
LOWELL TANNERY DAM HYDRO PROJECT                      ) WATER QUALITY CERTIFICATION  
#L-008688-35-E-M                      ) MODIFICATION

After reviewing the project file with its supportive data, staff summary, and other related materials on file with regard to the above noted project, the Department finds the following facts:

1. The applicant proposes to modify certain aspects of its plan to construct the Lowell Tannery Dam Hydro Project as previously approved by Order #49-8688-19390 of the Board of Environmental Protection dated July 27, 1983.
2. As originally proposed and approved, the project included, in part, the following construction activities: the placement of upstream and downstream cofferdams in two stages to allow for reconstruction of the powerhouse (north) portion of the dam followed by reconstruction of the spillway (south) portion of the dam. Under this plan, river flows during construction would have been passed through the reconstructed powerhouse.
3. By Order dated May 21, 1984, the Department approved the applicant's compliance with Condition #7 of the Board's Order which required, in pertinent part, that the applicant submit for review and approval the details of a plan to control erosion and sedimentation during and following project construction, including plans for the installation, removal, and timing of cofferdams.
4. The applicant now proposes to modify its plans to include the following: the excavation of a temporary diversion channel around the north end of the dam; and the placement of two cofferdams in a single stage across the river above and below the dam.

The proposed diversion channel would involve the excavation of approximately 2,000 cubic yards of overburden and ledge. 90% of the excavation would consist of blasted ledge. The channel would measure approximately 400 feet in length and 10 feet in width and would provide passage for river flows during project construction.

The applicant proposes to stockpile all excavated overburden on the site for use at the completion of construction activities. The applicant further proposes to utilize excavated ledge as riprap along the sides of the cofferdams and along the sides of the diversion channel. Finally, the applicant proposes to backfill the diversion channel following the removal of the cofferdams and to appropriately loam and seed the area.

5. Project construction is currently scheduled to begin within approximately 30 days.

PUMPKIN HILL HYDRO COMPANY, INC.  
Lowell, Maine, Penobscot County  
LOWELL TANNERY DAM HYDRO PROJECT  
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2 SMALL HYDROELECTRIC GENERATING  
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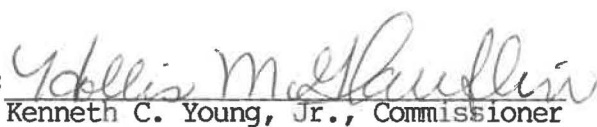
6. Based on a review of the proposed modification, the Atlantic Sea Run Salmon Commission has concluded that the diversion channel should provide adequate opportunities for the passage of migrating Atlantic Salmon during project construction.
7. Based on a review of the proposed modification and the comments of ASRSC, the Department's staff has concluded that the modification should not result in any significant environmental impact.
8. The proposed modification qualifies as a minor revision to a permit previously granted by the Board for which approval authority is delegated to the Commissioner pursuant to Chapter 1, Section 8(F) of the Department's Regulations.

THEREFORE, the Department APPROVES the modification of the LOWELL TANNERY DAM HYDRO PROJECT as described above, subject to the following condition:

1. The construction and operation of the modified project shall continue to be subject to the terms and conditions of Board Order #49-8688-19390 dated July 27, 1983.

DONE AND DATED AT AUGUSTA, MAINE, THIS 19TH DAY OF JUNE, 1986.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:   
for Kenneth C. Young, Jr., Commissioner

PLEASE NOTE ATTACHED SHEET FOR APPEAL PROCEDURES....