

184 FERC ¶ 62,079
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Dominion Energy South Carolina, Inc.

Project No. 516-466

ORDER APPROVING ANNUAL OPERATING PLAN PURSUANT TO ARTICLE 31

(Issued August 9, 2023)

1. On June 29, 2023, Dominion Energy South Carolina, Inc. (licensee) filed its 2023 Annual Operating Plan (Operating Plan) for the Saluda Hydroelectric Project No. 516 for Federal Energy Regulatory Commission (Commission) approval. The project is located on the Saluda River in Lexington, Newberry, Richland, and Saluda counties, South Carolina.

License Requirements

2. Article 31 of the project license,¹ as amended,² requires the licensee to develop and file an Annual Operating Plan to enhance water quality in the lower Saluda River for Commission approval. The plan must be consistent with the provisions of the Offer of Settlement.³ The licensee is required to develop the plan in cooperation with the South Carolina Department of Health and Environmental Control (South Carolina DHEC), South Carolina Department of Natural Resources (South Carolina DNR), U.S. Fish and Wildlife Service (FWS), National Marine Fisheries Service (NMFS), South Carolina Coastal Conservation League (South Carolina CCL), and American Rivers (AR). The plan is required to be filed by June 30, annually, for the life of the Settlement Agreement.

Licensee's Plan

3. The licensee's June 29, 2023 filing provides a report of 2022 aeration operations and water quality monitoring results. The licensee employed lookup tables (LUTs), developed in 2008, and updated most recently in 2022 based on repairs to the ventilation

¹ Order Issuing New License (Major) (27 FERC ¶ 61,332), issued June 1, 1984.

² Order Amending License (109 FERC ¶ 61, 316), issued December 21, 2004.

³ Order Dismissing Complaint and Amending License (108 FERC ¶ 61,064, issued July 15, 2004.

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system and to add unit 5 into the combinations. The licensee reports that the use of its updated LUTs largely enhanced downstream dissolved oxygen (DO) concentrations. As required, the licensee's filing also provides a plan for 2023 to comply with DO minimum values required by Article 31; 4 milligrams per liter (mg/l) instantaneous, 5 mg/l daily average, and 5.5 mg/l monthly average.

4. The licensee's proposed 2023 Operating Plan remains analogous to its 2013 through 2022 plans, including the updated LUTs. In 2023, the licensee also intends to continue its coordination with the South Carolina DNR to assess fisheries and water quality near the project intake and to determine restrictions and operation of Unit 5. The 2023 iteration of the Operating Plan includes annual operator training to ensure that project operators will be aware of how to minimize deviations from the required DO concentrations, and a review of water management procedures.

Consultation

5. On May 2, 2023, the licensee provided its draft Operating Plan to the South Carolina DNR, South Carolina DHEC, FWS, NMFS, AR, South Carolina CCL, and Congaree Riverkeeper in anticipation of a June 5, 2023 meeting. The filing includes meeting minutes summarizing all comments and concerns, which were incorporated into the final plan.

Conclusion

6. The licensee's proposed Annual Operating Plan for 2023 meets the requirements of amended Article 31, and implementation of the proposed enhancements to water quality should assist the licensee in complying with DO standards, as in previous years. The licensee's proposed Operating Plan is consistent with the terms of the Settlement Agreement as well as with prior years' plans, which were implemented successfully, and it should therefore be approved.

The Director orders:

(A) Dominion Energy South Carolina, Inc.'s 2023 Annual Operating Plan, filed on June 29, 2023 pursuant to amended Article 31 of the license for the Saluda Hydroelectric Project No. 516, is approved.

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(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. § 825l, and the Federal Energy Regulatory Commission's regulations at 18 CFR § 385.713 (2022). The filing of a request for hearing 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.

(for) Andrea Claros, Chief
Aquatic Resources Branch
Division of Hydropower Administration
and Compliance

Document Content(s)

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