

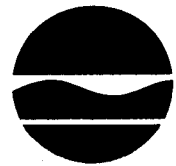
New York State Department of Environmental Conservation

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Joe Martens
Commissioner

Kathleen H. Burgess
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

August 23, 2013

Re: Case 10-T-0139 Champlain Hudson Power Express, Inc./NYSDEC Comments on
Suspended Sediment, Water Quality Monitoring Plan.

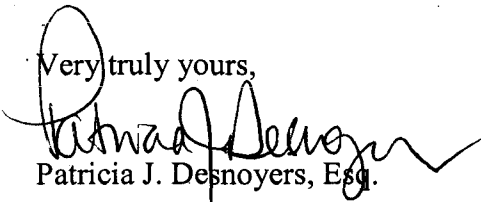
Dear Secretary Burgess,

The New York State Department of Environmental Conservation (NYSDEC) respectfully submits the following comments on the Suspended Sediment/Water Quality Monitoring Plan filed with the Commission in the above-referenced proceeding by Champlain Hudson Power Express, Inc. and CHPE Properties, Inc.

First, NYSDEC staff identified one mistake in Table 5-1; namely, the equation for Dissolved/Total Cadmium is incorrect for Class B waters. For Milepoints 272.3 to 290.3, the Table reads, "Calculate using measured hardness and $(0.85) \exp(1.128[\ln(\text{ppm hardness})]-1.7)$." Pursuant to the Water Quality Certificate, -1.7 should be changed to -3.6867. Second, in the Sample Packaging and Shipping Section on page 12, samples should be shipped to the laboratory on the same day they are collected, not the day after.

Finally, the compliance point for water quality parameters is 500 feet down-current and samples should be collected at this distance and in the location of maximum plume. The text is clear regarding TSS but not water quality parameters. Accordingly, the Plan should be revised to address these issues. Please feel free to contact me with any questions that you may have.

Very truly yours,



Patricia J. Desnoyers, Esq.

Cc: Commission's Active Party List by email