



DEPARTMENT OF THE ARMY  
NEW ENGLAND DIVISION, CORPS OF ENGINEERS  
424 TRAPELO ROAD  
WALTHAM, MASSACHUSETTS 02254-9144



REPLY TO  
ATTENTION 07

OCT 17 1997

Regulatory Branch  
CENAE-CO-R-62  
199702302

Mr. Thomas Oosterhout  
Vermont Yankee Nuclear Power Corporation  
P.O. Box 157  
Vernon, Vermont 05354

Dear Mr. Oosterhout:

Enclosed are two copies of a Department of the Army permit authorizing the work described therein.

Your signature is necessary to execute this permit. If the conditions are acceptable, please sign both copies and return one signed copy to us. A fee of \$100.00 is required. Please enclose a check made payable to "FAO New England Division", and return it with the signed permit copy. Please ensure your address and social security number, or tax identification number for businesses, are on the check.

You must post the enclosed ENG form 4336 (i.e., Notice of Authorization) in a conspicuous location at the job site whenever work is ongoing. Also, this permit requires you to notify us before beginning work and allow us to inspect the project. Hence, you must complete and return the attached Work Start Notification Form to this office no later than two weeks before the anticipated starting date.

This permit is a limited authorization containing a specific set of conditions. Please read the permit thoroughly to familiarize yourself with those conditions, including any conditions contained on the attached state water quality certification. If a contractor does the work for you, both you and the contractor are responsible for ensuring that the work is done in compliance with the permit's terms and conditions.

The proposed work must be performed in compliance with all terms and conditions of the permit, as violations could result in civil or criminal penalties.

-2-

If the plans or construction methods (i.e., for work in our jurisdiction) need to be changed, please contact us immediately to discuss modification of your permit. Before changes may be undertaken, they must be approved by this office.

Finally, please note that the Department of the Army permit process does not supersede any other agency's jurisdiction. Hence, if other federal, state, and/or local agencies have jurisdiction over your project, you must receive all applicable permits before you may begin work.

If you have any questions regarding this correspondence, please contact Michael S. Adams at 802 655-0334.

Sincerely,

William F. Lawless, P.E.  
Chief, Regulatory Branch  
Construction-Operations Division

Enclosures

Copy furnished  
Mr. James Bajek  
Normandeau Associates, Inc.  
25 Nashua Road  
Bedford, NH 03110-5500

Proj Mgr: MSA

MAU: GTN 97

Sec Chf: DL 10/17/97



4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

- a. Adequate sedimentation and erosion control devices, such as floating geotextile silt fences or other devices capable of filtering the fines involved, shall be implemented and properly maintained around the work in the waterway and disposal site to minimize impacts during construction. These devices must be removed upon completion of work and stabilization of disturbed areas. The sediment collected by these devices must also be removed and placed upland, in a manner that will prevent its later erosion and transport into a waterway or wetland.

SPECIAL CONDITIONS CONTINUED ON PAGE 4

Further Information:

1. Congressional Authorities; You have been authorized to undertake the activity described above pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
- Section 404 of the Clean Water Act (33 U.S.C. 1344).
- Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 38 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 325.4 and 325.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

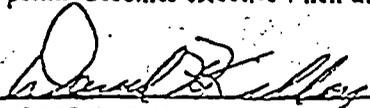
6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

\_\_\_\_\_  
(PERMITTEE)

\_\_\_\_\_  
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

  
\_\_\_\_\_  
(DISTRICT ENGINEER) MICHAEL W. PRATT

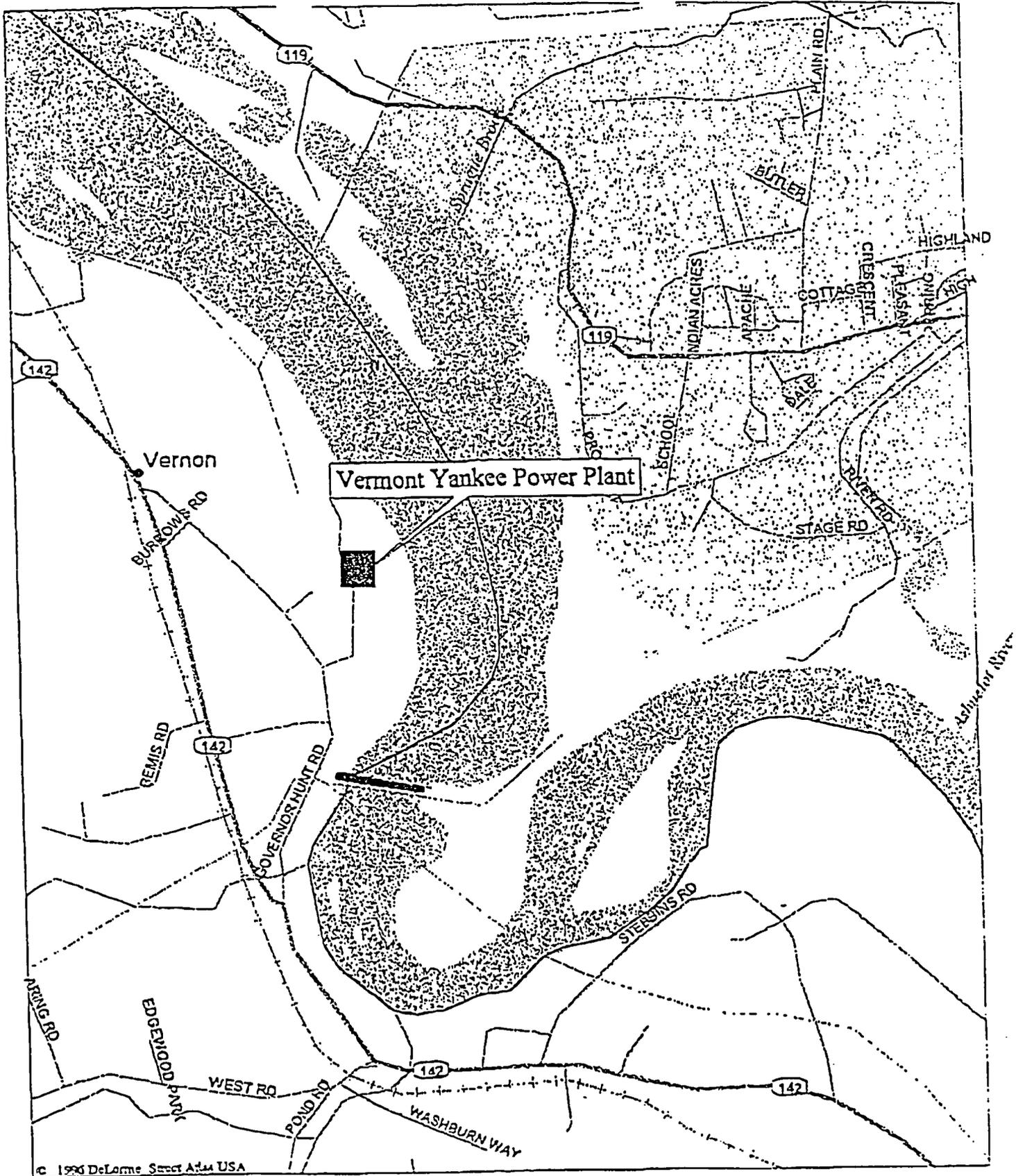
Lieutenant Colonel, Corps of Engineers

10/17/97  
\_\_\_\_\_  
(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEREE)

\_\_\_\_\_  
(DATE)



### Vermont Yankee Power Plant, Vernon, Vermont..

### PROPOSED MAINTENANCE DREDGING

SEPT. 16, 1997

PROJECT DESCRIPTION CONTINUED FROM PAGE 1

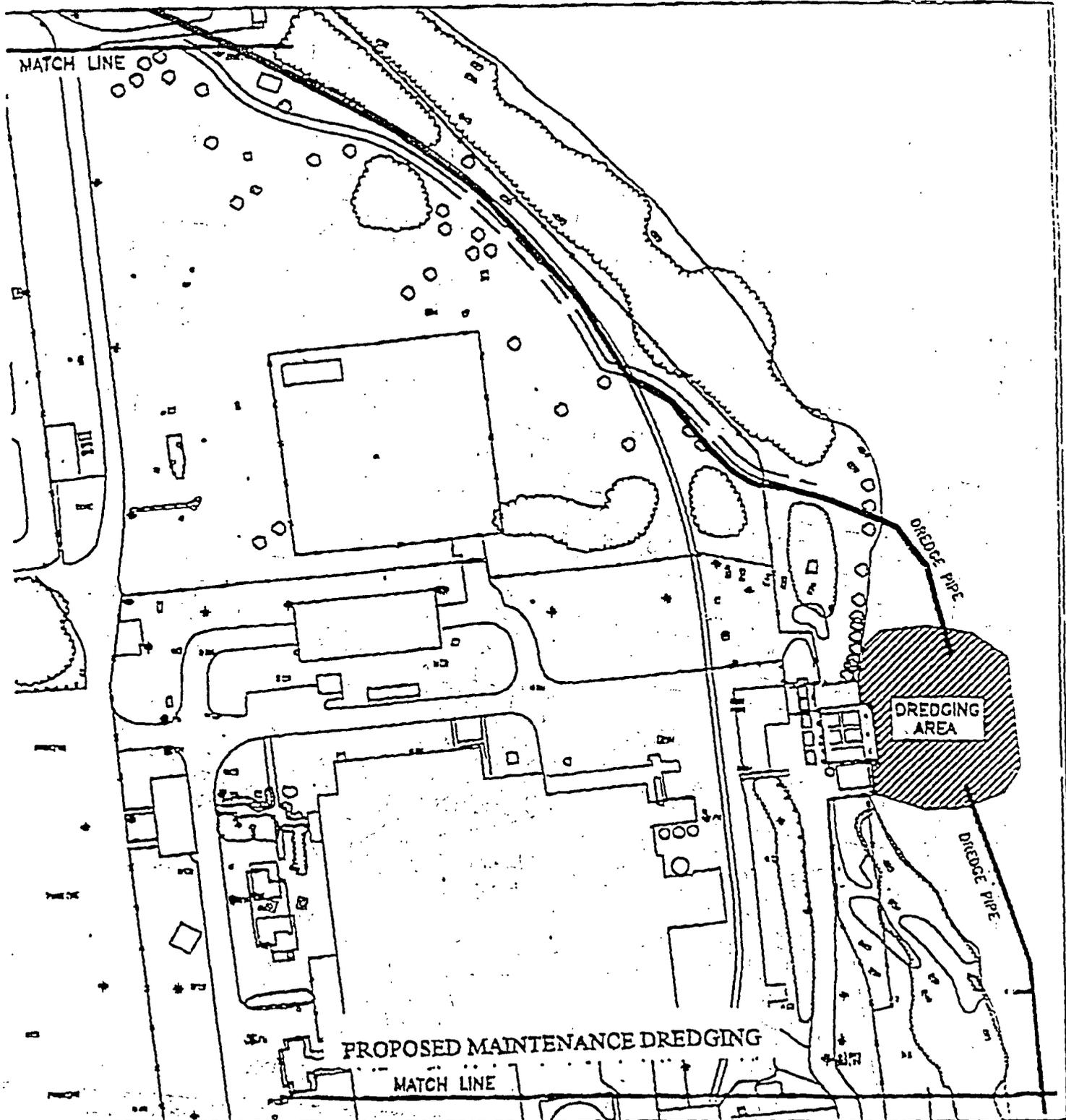
dewatering. Dewatering will occur through an overflow pipe leading to an existing drainage swale which re-enters the river. The secondary site consists of an existing concrete containment area with a capacity of 1,600 cy. This site has an existing drainage pipe into the river. Neither of the containment sites involve the placement of fill into any waterway or wetland. The purpose of the project is to restore adequate water flow to the cooling intake for the power plant.

This authorization is made in accordance with the attached plans, in eight sheets, entitled "PROPOSED MAINTENANCE DREDGING", dated "SEPT. 16, 1997".

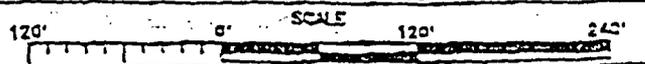
SPECIAL CONDITIONS CONTINUED FROM PAGE 2

- b. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after the construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. If the permit is issued after receipt of bids or quotes, the entire permit shall be included in the contract or sub-contract as a change order. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers' jurisdiction.
- c. All dredged material shall be disposed of at an upland, non-wetland location.
- d. Periodic maintenance dredging to the area and depth limits described herein is authorized for ten years from the date of issuance of this permit, provided disposal of the dredged material is at an upland site. However, the permittee must notify this office, in writing, 60 days before the intended date of any such dredging and shall not begin such dredging until written authorization has been obtained. A separate individual permit shall be required for such dredging if the material to be dredged is to be deposited in open or ocean waters and/or wetlands.



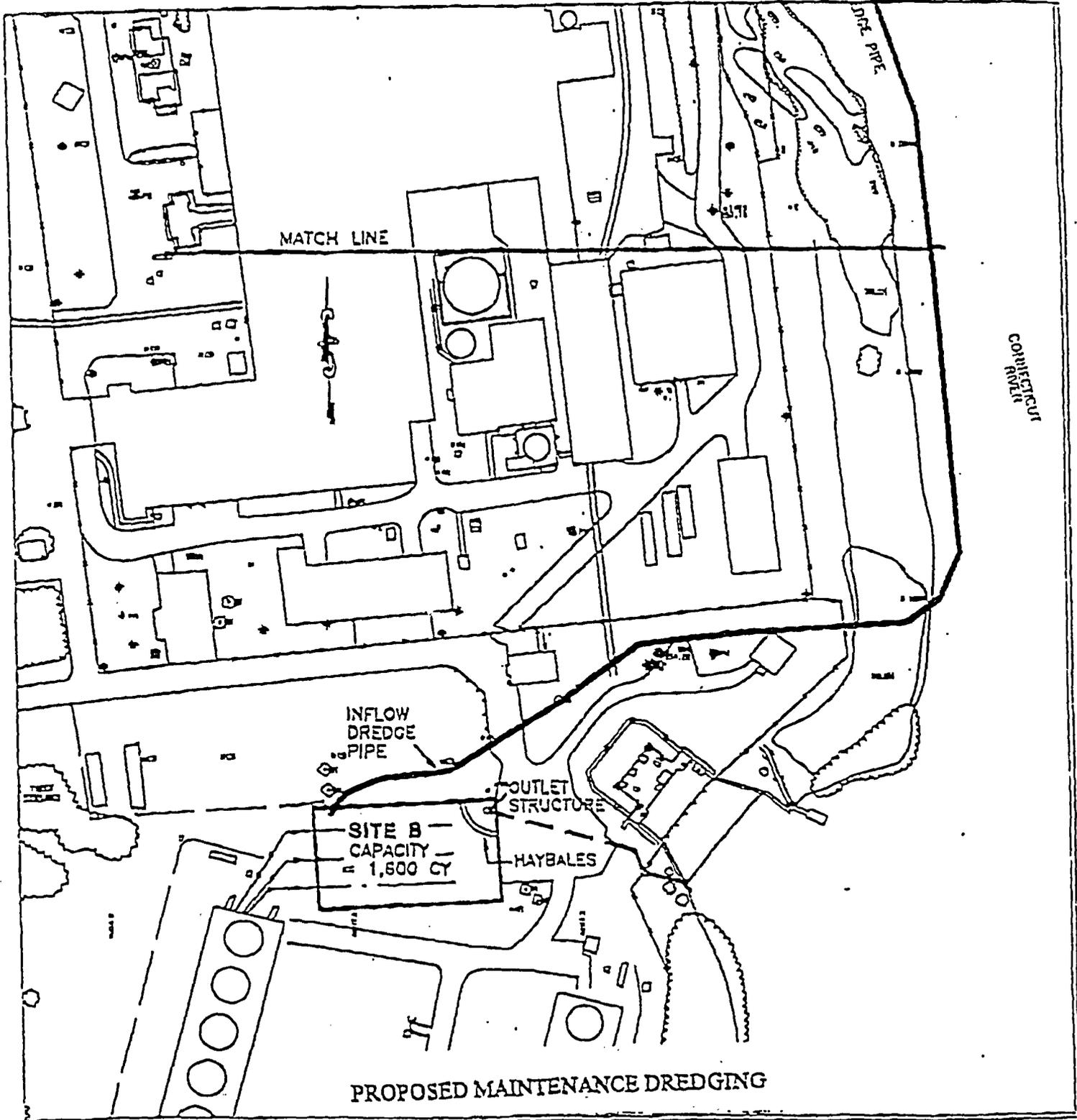


APPLICANT:  
PROPOSED DREDGING AREA AT INTAKE STRUCTURE



VERMONT YANKEE NUCLEAR POWER CORP.  
VERMONT YANKEE NUCLEAR PWR. STA.  
VERNON, VERMONT

**NORMANDEAU ASSOCIATES INC.**  
ENVIRONMENTAL CONSULTANTS  
25 Nashua Road Bedford, New Hampshire 03110-5500



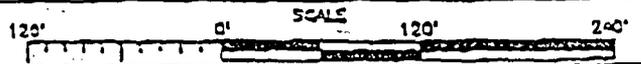
APPLICANT:  
PROPOSED SITE B DREDGING DEWATERING BASIN



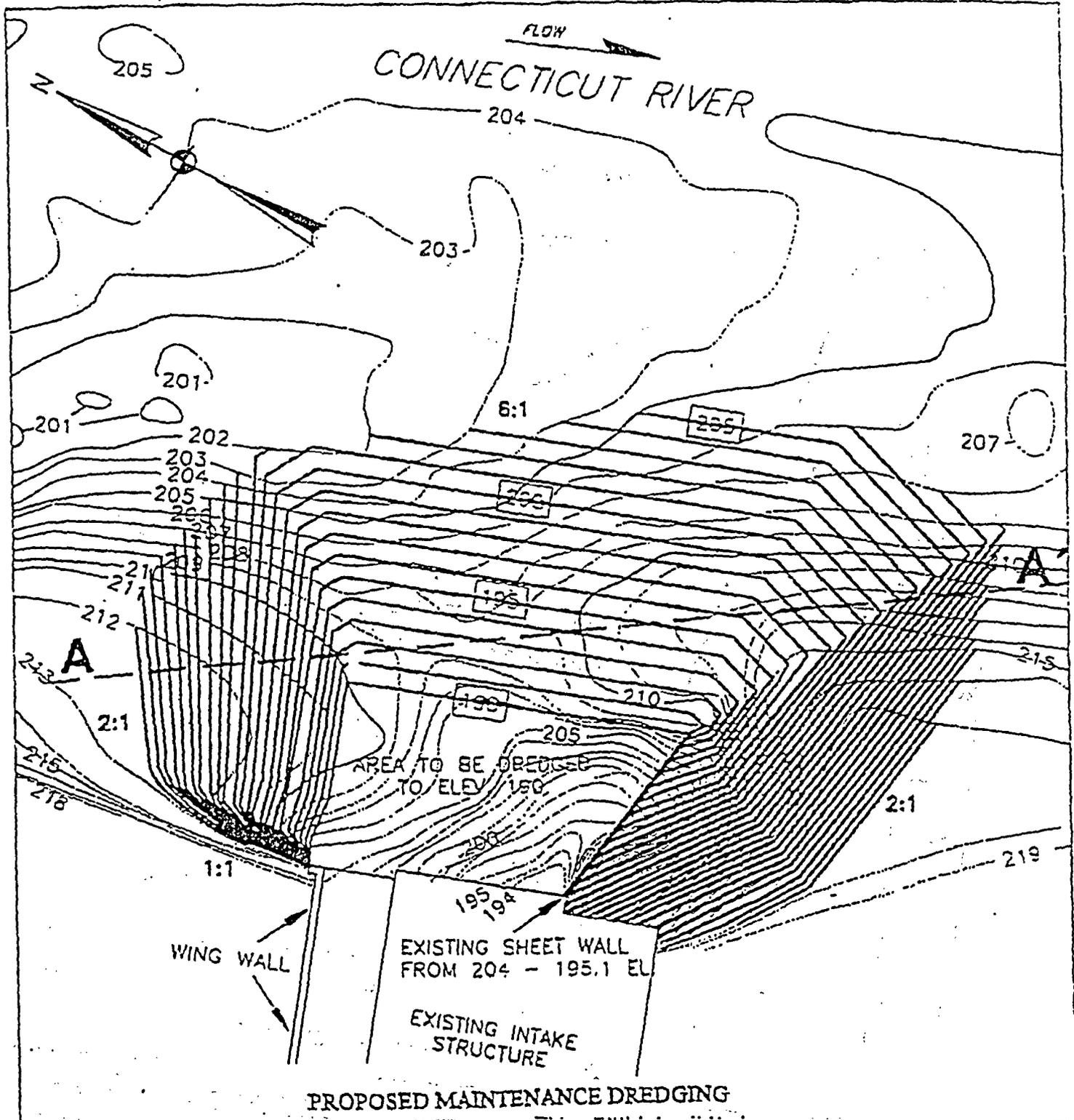
VERMONT YANKEE NUCLEAR POWER CORP.  
VERMONT YANKEE NUCLEAR PWR. STA.  
VERNON, VERMONT

SHEET 3 OF 7

SEPT. 16, 1997



**NORMANDEAU ASSOCIATES INC.**  
ENVIRONMENTAL CONSULTANTS  
25 Nashua Road Bedford, New Hampshire 03110-5500



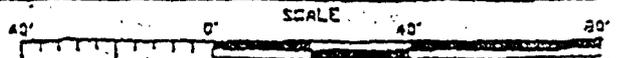
**PROPOSED MAINTENANCE DREDGING**

APPLICANT:

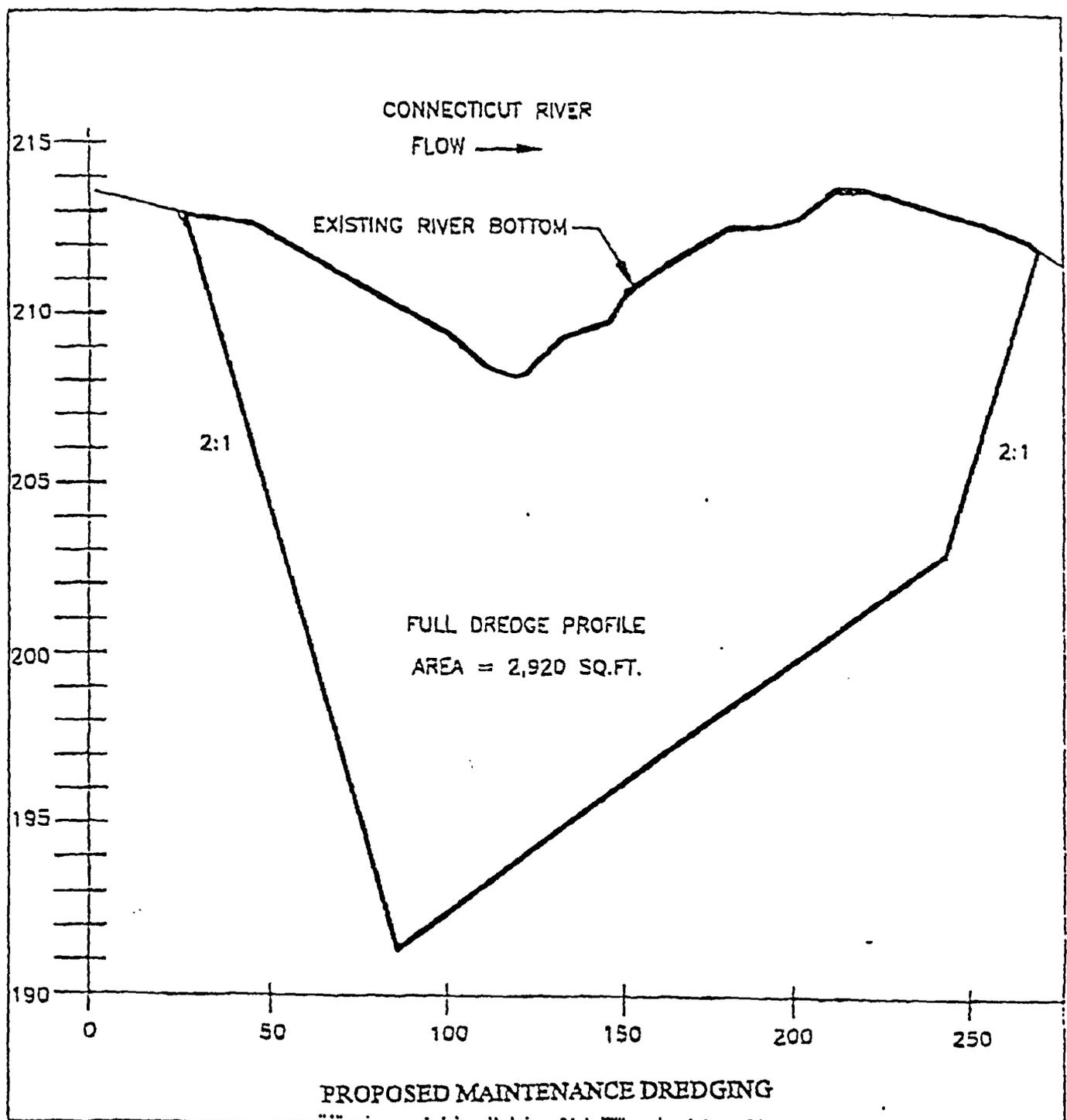
**PROPOSED DREDGING AT INTAKE STRUCTURE**



VERMONT YANKEE NUCLEAR POWER CORP.  
VERMONT YANKEE NUCLEAR PWR. STA.  
VERNON, VERMONT



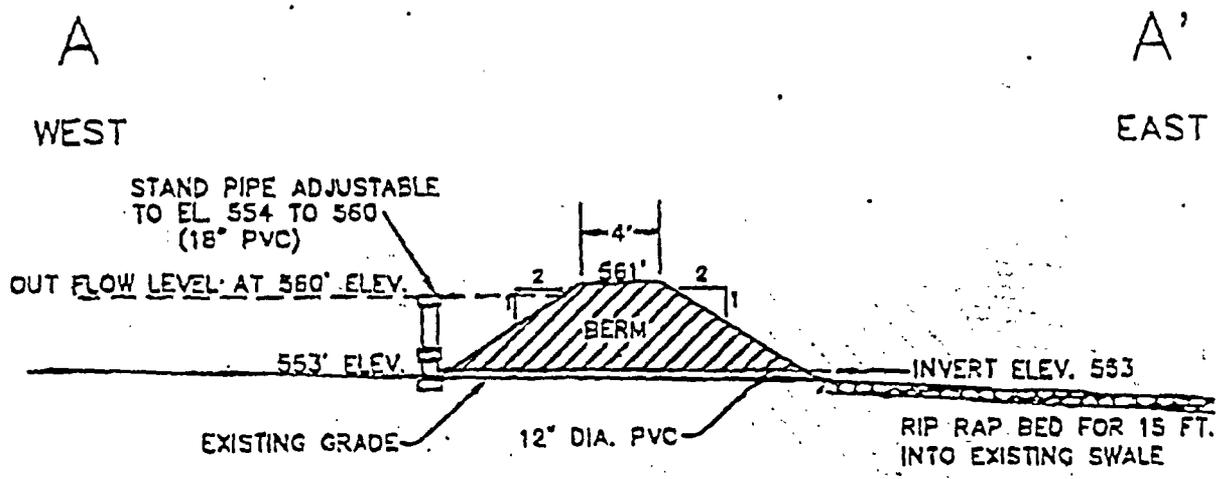
**NORMANDEAU ASSOCIATES INC.**  
ENVIRONMENTAL CONSULTANTS  
25 Nashua Road Bedford, New Hampshire 03110-5500



APPLICANT:  
**DREDGE SECTION**  
  
VERMONT YANKEE NUCLEAR POWER CORP.  
VERMONT YANKEE NUCLEAR PWR. STA.  
VERNON, VERMONT

40' 0' 40' 80'  
SCALE

**NORMANDEAU ASSOCIATES INC.**  
ENVIRONMENTAL CONSULTANTS  
25 Nashua Road Bedford, New Hampshire 03110-5500



### PRIMARY OUTFLOW STRUCTURE

NTS

### PROPOSED MAINTENANCE DREDGING

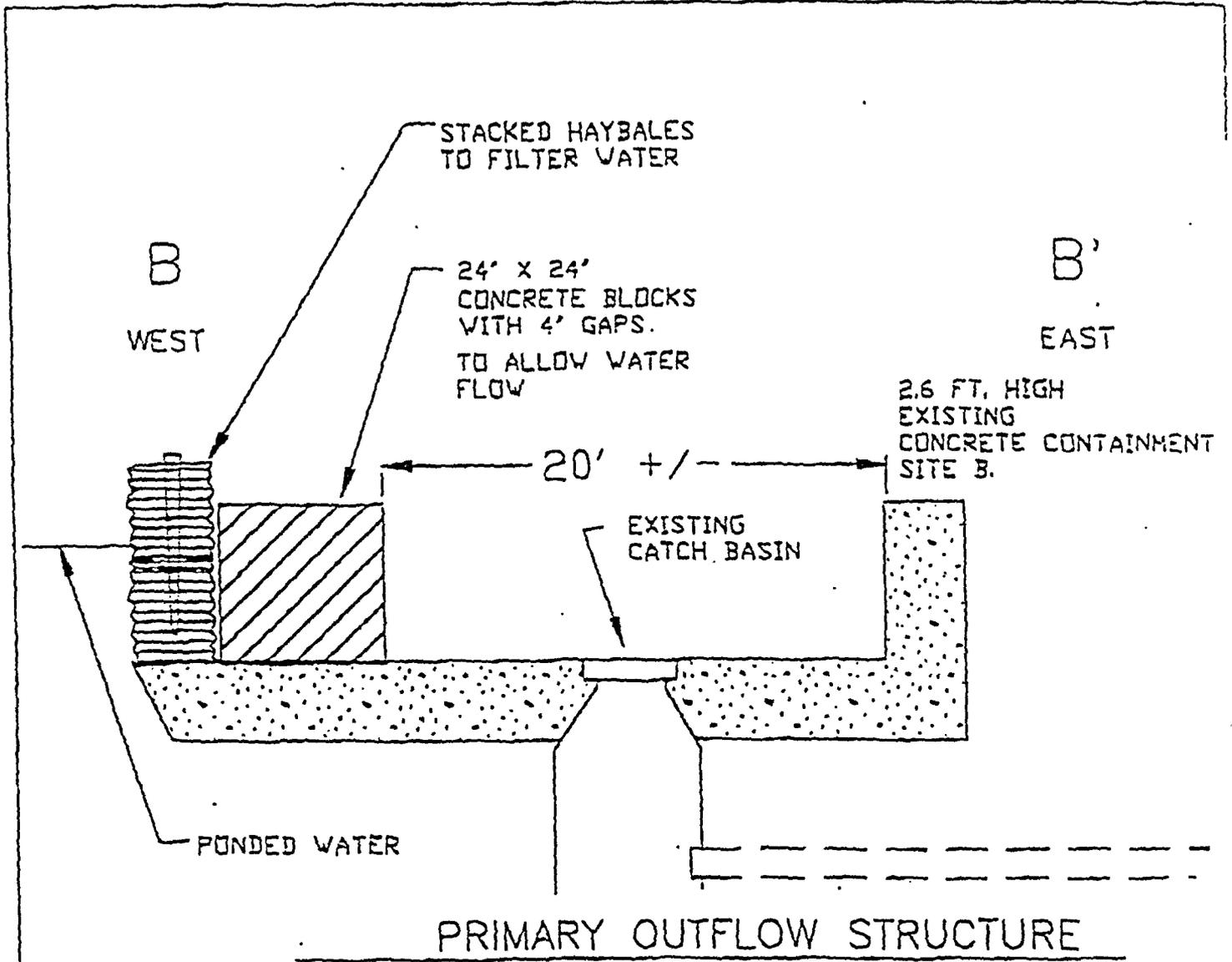
APPLICANT: SITE A OUTLET STRUCTURE

 VERMONT YANKEE NUCLEAR POWER CORP.  
VERMONT YANKEE NUCLEAR PWR. STA.  
VERNON, VERMONT

SHEET 6 OF 7

**NORMANDEAU ASSOCIATES INC.**  
ENVIRONMENTAL CONSULTANTS  
25 Nashua Road, Bedford, New Hampshire 03110-5500

SEPT. 16, 1997



NTS

PROPOSED MAINTENANCE DREDGING

APPLICANT:

SITE B OUTLET STRUCTURE



VERMONT YANKEE NUCLEAR POWER CORP.  
VERMONT YANKEE NUCLEAR PUR. STA.  
VERNON, VERMONT

**NORMANDEAU ASSOCIATES II**  
ENVIRONMENTAL CONSULTANTS  
25 Nashua Road Bedford, New Hampshire 03110.