

New York State Department of Environmental Conservation

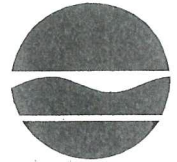
Division of Water

Bureau of Flood Protection & Dam Safety, 4th Floor

625 Broadway, Albany, New York 12233-3504

Phone: (518) 402-8185 • Fax: (518) 402-9029

Website: www.dec.ny.gov



Joe Martens
Commissioner

July 15, 2011

Keuka Lake Outlet Compact
Attention: Mr. Bill Weber
Five Maiden Lane
Penn Yan, New York 14527

Re: Keuka Lake Outlet Dam
DEC Dam ID#: 053-0613
Town of Milo, Yates County

Dear Mr. Weber:

I am writing in follow up to a recent routine visit to the Keuka Lake Outlet Dam as part of New York State Department of Environmental Conservation's (Department) ongoing Dam Safety Program. Observations made during the June 22, 2011 visual inspection are shown on the enclosed form. The visual inspection was conducted jointly with personnel involved with the dam's operation and yourself.

Conditions noted should be monitored and appropriate measures taken to assure the safety of the dam.

In addition to the observed conditions, a review of our files did not find:

- An Annual Certification of ownership for this year, as required to be submitted by January 31st of each year. If this document has been completed, please submit a copy so that we may update our records.

- An Updated Emergency Action Plan (EAP) that is consistent with the Department's "Guidance for Developing an Emergency Action Plan" TOGS 3.1.3. The current EAP we have on file dated September, 2009, should be reviewed for conformance to current Department guidance then modified accordingly. A preliminary cursory review of some of the items in the EAP document is attached. TOGS 3.1.3 including an EAP template can be found at the Department's following website location:
<http://www.dec.ny.gov/lands/4991.html>.

New Dam Safety Regulations became effective on August 19, 2009. Information regarding regulatory requirements is enclosed. Deficiencies in the dam should be addressed in the required Engineering Assessment and Inspection\Maintenance Plan.

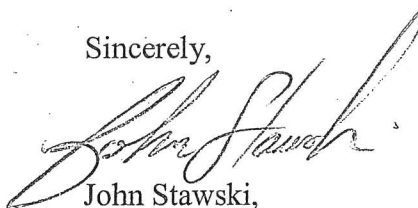
Deficiencies may exist beyond those identified here. The Department's visual inspections are not intended to take the place of a comprehensive engineering evaluation by a

professional engineer. The Department's inspection observations and notes should not be relied on for "risk management/assessment" or other financially based determinations.

Please keep in mind that any repair or construction activities related to a dam may require permits from the Department. Well before beginning work on a dam, please check with the Regional Permit Administrator at the Department's Region 8 office, 6274 E. Avon-Lima Rd., Avon, New York 14414-9519, or by calling the regional office at (585) 226-2466.

If you have any questions regarding the above, or the Dam Safety Program in general, please contact the Dam Safety Section at (518) 402-8185.

Sincerely,

A handwritten signature in black ink, appearing to read "John Stawski". The signature is written in a cursive style with a large, sweeping initial "J".

John Stawski,
Dam Safety Section
Environmental Engineer 2

cc w/ enc: Supervisor, Town of Milo

cc w/ enc: Dixon Rollins, Regional Water Engineer, DEC Region 8
Karis Manning, DEC Region 8
Director, Yates CEMO
Alon Dominitz, DEC Dam Safety

Attachment with information regarding New Dam Safety Regulations:

New Dam Safety Regulations have become effective on August 19, 2009. Additional information regarding these and other requirements along with a copy of the new regulations are available on the Department's website at: <http://www.dec.ny.gov/lands/311.html>. A brief summary of some of the requirements follows:

The owners of Class C - High Hazard dams are required to:

- Operate and maintain the dam and all appurtenant structures in a safe condition at all times;
- Maintain in good order all available records regarding the dam, and provide those records to any new owner;
- Develop and implement an Inspection and Maintenance Plan for each structure within 12 months (i.e. no later than August 19, 2010). An I&M Plan template can be found at: <http://www.dec.ny.gov/lands/4991.html>;
- Develop and submit to the Department an Emergency Action Plan for each structure no later than August 19, 2010, and annually thereafter. The Department's "Guidance for Developing an Emergency Action Plan," TOGS 3.1.3, including an EAP Template, can be found at: <http://www.dec.ny.gov/lands/4991.html>;
- Submit to the Department an annual certification of ownership, and that the I&M plans are current and being implemented and that the EAPs are current, for each structure by January 31st of each year;
- Conduct a Safety Inspection by a Professional Engineer on a regular schedule as defined in the Inspection and Maintenance Plan;
- Conduct a full engineering assessment every 10 years, the first engineering assessment of a small, Class C dam is due no later than August 19, 2014 and , for a large Class C dam it is due no later than August 19, 2012; The Department's "Final Guidance for Dam Engineering Assessment Reports" TOGS 3.1.4 can be found at: <http://www.dec.ny.gov/lands/4991.html> ;
- Report flows in erodible auxiliary spillways, within 5 days after the end of the incident.