



August 4, 2010

Certified Mail No. 70100780000183770658
Return Receipt Requested

Mr. William Madden
G.A.F. Engineering, Inc.
266 Main Street
Wareham, MA. 02571

Subject: Amended Dam Safety Order and Time Extension

Dam Name:	Hathaway Pond Dam
Location of Dam:	Rochester
National ID No.:	MA00368
Known Condition:	UNSAFE
Hazard Potential:	Significant

Dear Mr. Madden,

The Office of Dam Safety (ODS) is in receipt of your email, dated July 26, 2010, on behalf Ms. Susan Hampson, regarding a request for an extension of the Dam Safety Order dated February 22, 2008 for Submission of Phase II Report and to bring the dam into compliance with dam safety regulations for the Hathaway Pond Dam (MA00368) located in Rochester, Massachusetts.

A Certificate of Non-Compliance and Dam Safety Order dated February 22, 2008 was issued to Ms. Susan Hampson, which required the dam owner to do the following:

- Conduct Follow-Up Inspections every six months until the dam is repaired or adequately breached.
- Hire a registered professional engineer to conduct a Phase II Inspection and Investigation and submit report to ODS.
- Bring the dam into compliance and complete repair, breach, or removal work no later than November 30, 2009.

In consideration of your acknowledgement that the dam owner has retained engineering consultant, Sanborn Head & Associates, to conduct a Hydrologic and Hydraulic Study (H&H) and dam break analysis for the purpose of a possible reclassification of the Hazard class of the dam from Significant Hazard Potential to Low Hazard Potential, and GAF Engineering's evaluation of the right bay of the

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spillway to determine the possible cause of the sinkhole located adjacent to the right bay of the spillway, ODS will grant the dam owner an extension of time to come into compliance with the Dam Safety Order.

The amended conditions and due dates for compliance are as follows:

1. Conduct Follow-Up Inspections - The frequency for Follow-Up Inspections remains unchanged. The Follow-Up Inspection Reports must be completed every 90 days until the dam is repaired or adequately breached.
2. Phase II inspection and Investigation, inclusive of hazard reclassification request:
 - You must complete the hazard reclassification request and submit to ODS no later than September 30, 2010. The hazard reclassification request must be submitted in conformance with the ODS Application to Change Hazard Classification of Dam form available on the ODS website.
 - In the event the H&H study concludes that the dam remains a Significant Hazard Potential structure then the remaining requirements of the Phase II Inspection and Investigation must be completed and submitted to ODS no later than November 30, 2010.
3. Bring the dam into compliance and complete repair, breach or removal work no later than November 30, 2011.

In accordance with G.L. Chapter 253 and 302 CMR 10.00, it is the sole responsibility of the dam owner to protect public safety by conducting regular inspections, and operating and maintaining in acceptable condition, a regulated dam.

Thank you for your continued cooperation with the Office of Dam Safety. The Dam Safety web site is located at <http://www.mass.gov/dcr/pe/damSafety/index.htm>. If you have any questions please contact Dam Safety Engineer Edward Hughes via email at Edward.Hughes@state.ma.us.

Sincerely,



William C. Salomaa
Director, Office of Dam Safety

Cc Susan Hampson
State Senator Joan M. Menard
State Representative William M. Straus
Richard LaCamera, Rochester Town Administrator
Paul Ciaburri, Rochester Emergency Management Director
Laurell J. Farinon, Agent, Conservation Commission
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