

CECW-CO ER 1130-2-551	DEPARTMENT OF THE ARMY U.S. Army Corps Of Engineers Washington, DC 20314-1000	ER 1130-2-551 30 September 2009
	Project Operations  HYDROPOWER OPERATIONS AND MAINTENANCE POLICY BULK POWER SYSTEM RELIABILITY COMPLIANCE PROGRAM	
	<b>Distribution Restriction Statement</b> Approved for public release; distribution is unlimited.	

CECW-CO

Regulation  
No. 1130-2-551

30 September 2009

Project Operations  
HYDROPOWER OPERATIONS AND MAINTENANCE POLICY  
BULK POWER SYSTEM RELIABILITY COMPLIANCE PROGRAM

1. Purpose. This regulation establishes the requirement for a U.S. Army Corps of Engineers (USACE) corporate program for compliance with the applicable Federal Energy Regulatory Commission (FERC) approved Bulk Power System (BPS) Reliability Standards. For the purpose of this document, the term “compliance” is understood to mean “voluntary compliance” with applicable Federal Energy Regulatory Commission approved Bulk Power System Reliability Standards.

2. Applicability. This regulation applies to all USACE hydropower operations and maintenance business processes, doctrines, policies and standard operating procedures.

3. Distribution. Approved for public release; distribution unlimited.

4. References.

a. Energy Policy Act of 2005, Pub. L. 109-58, 119 Stat. 941 (2005). 16 U.S.C. § 824, et seq.

b. Federal Energy Regulatory Commission Approved Bulk Power System Reliability Standards

5. Policy.

a. In accordance with Army policy, the USACE does not consider itself a user, owner, or operator of the Bulk Power System as defined in the Energy Policy Act of 2005. Moreover, as the provisions in that Act regarding electric reliability do not include an explicit waiver of sovereign immunity, it is Army policy that USACE cannot be subject to monetary fines or penalties issued pursuant to that Act by NERC or FERC. Nonetheless, it is Army policy that USACE will support the goals of the Electric Reliability Organization and strive to meet the Reliability Standards voluntarily subject to the availability of funds and the requirements of project operations.

b. The USACE shall develop and establish a Corporate Compliance Program. This Corporate Compliance Program shall be referred to herein and after as the Army Corps of Engineers Compliance Monitoring and Enforcement (ACE-CME) Program. The execution of the ACE-

ER 1130-2-551  
30 Sep 09


CME Program procedures and associated doctrine for achieving compliance shall be subject to the limits imposed on USACE by Federal laws, orders and regulations, including limitations on the expenditure of Federal funds.

6. Responsibilities.

a. Upon implementation of the ACE-CME Program, all HQ elements, Major Subordinate Commands, and District Commands, shall integrate its requirements and associated doctrines into their Hydropower Operations and Maintenance Business Processes, Doctrines, Policies and Standard Operating Procedures. This includes all USACE activities that may be affected by, or provide support to the hydropower business function in order to achieve compliance.

b. Each USACE District Command element shall establish policies, practices, and standard operating procedures consistent with the requirements of this regulation and the ACE-CME Program.

FOR THE COMMANDER:

  
STEPHEN L. HILL  
Colonel, Corps of Engineers  
Chief of Staff