



REGION 1

BOSTON, MA 02109

VIA EMAIL - READ RECEIPT REQUESTED

March 20, 2024

Elizabeth H. Tillotson, Vice President
GSP Merrimack LLC
431 River Road
Bow, NH 03304

Re: Issuance of NPDES Permit Modification No. NH0001465
(for) Merrimack Station

Dear Ms. Tillotson:

Attached is your final National Pollutant Discharge Elimination System (NPDES) permit modification issued pursuant to the Clean Water Act (CWA), as amended, and the State of New Hampshire, Surface Water Quality Regulations, Chapter 1700, as amended. Also attached is a copy of the New Hampshire State Water Quality Certification for your Final Permit Modification.

When no comments are received during the public comment period, the permit becomes effective immediately upon issuance in accordance with 40 CFR § 124.15(b)(3). When comments are received, the NPDES permit becomes effective on the date specified in the permit unless a timely petition for review is filed with EPA's Environmental Appeals Board (EAB). To contest the NPDES permit with EPA, a petition to the EAB must be submitted in accordance with 40 CFR § 124.19 and 40 CFR § 124.20. Information concerning electronic filing procedures as well as procedural and substantive requirements applicable to NPDES permit appeals is available on the EPA EAB website at <http://www.epa.gov/eab>. In this case, no comments were received.

Please note that the Final Permit Modification consists of the following non-substantive changes to correct minor errors and provide administrative edits relative to the Draft Permit Modification:

- all references to the document being in "draft" form have been removed;
- the summary of proposed changes on the cover page has been removed;
- all instances of strike-through text proposed for deletion have been removed and noted;
- the effective date has been entered onto the cover page;
- footnote 1 describing the effective date of the modification has been removed;

- “two-year” was added to correct an unintended omission in Part I.A.4A(1);
- “Upon the effective date of the permit modification” was added to Part I.A.4A(2) to make clear that the low utilization requirements apply immediately, consistent with EPA’s Fact Sheet supporting the Draft Permit Modification;
- in Part I.A.4B(1), a typographical error cross-referencing Part I.A.4C(3) has been corrected to read Part I.A.4B(4); and
- in Part I.A.4D(2)(ii)(b), a typographical error cross-referencing Part I.A.4D(1)(ii) has been corrected to read Part I.A.4D(1)(iv).

The Final Permit Modification is issued pursuant to 40 CFR § 124.5 and revises and supersedes the relevant portions of the permit issued on May 22, 2020. We appreciate your cooperation throughout the development of this modification and should you have any questions or concerns, please contact Sharon DeMeo at (617) 918-1995 or at demeo.sharon@epa.gov.

Sincerely,



Ken Moraff, Director
Water Division

Attachments: Final Permit Modification, NH State Water Quality Certification

cc: Stergios Spanos, NHDES