

From: Stein, Mark
To: ["linda.landis@eversource.com"](mailto:linda.landis@eversource.com)
Cc: [Taylor, Spence](#); [Barze, Bruce](#); [Sharon DeMeo](#); [Houlihan, Damien](#)
Subject: RE: Merrimack Station--Draft NPDES Permit No. NH0001465
Date: Wednesday, September 21, 2016 9:32:00 AM

Hi Linda –

I have been meaning to send you an email to acknowledge receipt of your email (appended below) regarding Merrimack Station's plans for dealing with bottom ash wastewater. I see that in response to my earlier query on the subject, you discussed it with your clients and found that they are still investigating options, but expect to have a plan most likely after the January 1 and will provide EPA with information about the plan at that time.

That sounds like an acceptable approach, but I want to emphasize that it will be important that you submit this information to EPA as promptly as possible. Based on your email, we ask that you submit that information as early in January 2017 as possible. Related to this, I commend to your attention the following pages from the Preamble to the Final Steam-Electric Effluent Limitations Guidelines: 80 Fed. Reg. 67838, 67883 (Nov. 3, 2015). This text makes clear that EPA is supposed to require compliance with the new bottom ash wastewater limits by "...the soonest date, beginning November 1, 2018, that the plant can meet the final BAT limitations in this rule. The permit should require compliance with the final BAT limitations by that date, making clear that in no case shall the limitations apply later than December 31, 2023." In addition, the preamble explains that "[a]s specified by the rule, the 'as soon as possible' date determined by the permitting authority is November 1, 2018, unless the permitting authority determines another date after receiving information submitted by the discharger." The preamble also discusses what sort of information may be submitted to try to justify a compliance date later than November 1, 2018.

I hope this is helpful to you. Let me know if you have any questions.

Thank you.

- Mark

Mark A. Stein
Senior Assistant Regional Counsel
EPA Region 1
5 Post Office Square, Suite 100
Mail Code ORA 18-1
Boston, MA 02109-3912

Tel.: 617-918-1077
E-Fax: 617-918-0077
Email: stein.mark@epa.gov

From: linda.landis@eversource.com [<mailto:linda.landis@eversource.com>]
Sent: Tuesday, August 02, 2016 2:18 PM

To: Stein, Mark <Stein.Mark@epa.gov>

Cc: Taylor, Spence <STAYLOR@balch.com>; Barze, Bruce <BBARZE@balch.com>

Subject: Merrimack Station--Draft NPDES Permit No. NH0001465

Good afternoon Mark. A couple of weeks ago, we spoke briefly about EPA's interest in Merrimack Station's plans for complying with the applicable requirements related to bottom ash discharges under the Steam Electric effluent limitation guidelines. I talked to folks here about providing that information to EPA and was told that, at this time, we are still investigating options and talking with various vendors. As a result, we are currently not in a position to provide EPA with the requested information, but we will be able to do so once we have a plan in place, most likely after January 1st.

Please give me a call if you would like to discuss this further. Linda

Linda T. Landis
Senior Counsel
Eversource Energy
780 No. Commercial Street
Manchester, NH 03101
(603)634-2700
Fax (603)634-2438
linda.landis@eversource.com

This electronic message contains information from Eversource Energy or its affiliates that may be confidential, proprietary or otherwise protected from disclosure. The information is intended to be used solely by the recipient(s) named. Any views or opinions expressed in this message are not necessarily those of Eversource Energy or its affiliates. Any disclosure, copying or distribution of this message or the taking of any action based on its contents, other than by the intended recipient for its intended purpose, is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately and delete it from your system. Email transmission cannot be guaranteed to be error-free or secure or free from viruses, and Eversource Energy disclaims all liability for any resulting damage, errors, or omissions.