

Telephone Call Notes (10/26/2018) (By Mark Stein)

- On the morning of 10/26/2018, Edan Rotenberg (sp.?) called and left a message on my voicemail
- I returned his call that afternoon
- He works with the Super Law Group law firm and represents the Sierra Club
- He mentioned that in prior months he had sent us a FOIA request related to Merrimack Station
- He stated that they had commented on the Merrimack permit and had been reviewing the record and wanted to make the point to us that they think that the record reveals that the facility's thermal discharges have caused water quality standards violations. They also think that our conclusions for the 2011 draft permit show that there have been permit violations based on the thermal discharge causing violations of water quality standards. He mentioned D.O. violations and also thermal and biological WQS as being violated.
- I told him that I didn't know whether or not he was right in what he was saying but that if he wanted to do so, he should submit something in writing to us for our consideration. I pointed out that the comment period had closed already, but that interested parties, such as a permittee or an environmental group, often submit comments or other materials to us outside of comment periods. I explained that we are not legally obliged to consider such post-comment period materials, but that we sometimes do so if we have time and it makes sense to us in the overall scheme of things. In any event, I explained that if they submit something we would include it in the public record and we would decide what to do with it and whether to respond to it.
- He said he would submit something to us.