

AR 449



{In Archive} PSNH 308 Letter Reply Dated 11.01.07

John King to: palmeag
Cc: David Webster, Mark Stein

11/09/2007 12:36 PM

From: John King/R1/USEPA/US
To: palmeag@nu.com
Cc: David Webster/R1/USEPA/US@EPA, Mark Stein/R1/USEPA/US@EPA
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Allan,

PSNH has taken the position that the EPA is now responsible for determining what sentences, paragraphs, table or graphs of the subject reply are CBI. I recognized that specific information contained in PSNH's response can provide a competitor information on Merrimack Station's cost structure or operating procedures. I contend, though, that it is inappropriate to classify the entire reply as CBI.

I just drafted another 308 letter requesting a redacted version of PSNH reply. PSNH will receive that request by Thursday or Friday of next week. If PSNH is unwilling to provide a redacted version, EPA will initiate formal procedures in accordance with 40 C.F.R. Part 2, Subpart B to substantiate PSNH's assertion that your entire submission is CBI.

If you have any questions or comments, give me a call..

John
palmeag@nu.com



palmeag@nu.com
11/08/2007 03:36 PM

To John King/R1/USEPA/US@EPA
cc
Subject Clarification

John, Guess I didn't do a very good job. Once again, the lawyers are puzzled and asked if you could send me an email summarizing EPA's specific objections to PSNH's CBI claim? If it has anything to do with the distribution of reports to other parties, eg, DES, NHF&G, PSNH can deliver the documents directly. Thanks.

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