

{In Archive} Attorney Contacts
John King to: palmeag

Bcc: Mark Stein

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Allan,

I discussed your question/concern about Brad Custer of CLF talking directly to me concerning Merrimack Station's NPDES permit renewal with EPA's attorney, Mark Stein.

EPA does not consider the level of discussion I have had so far with Attorney Custer to be inappropriate or unfair to PSNH. Custer, as an employee of a conservation organization, has asked me for the status of the permit development specifically as it applies to 316a & b issues. I have replied to Custer's inquiries with EPA's hope for schedule for permit development. I have stated EPA and other regulatory agencies have been involved with developing thermal limits for Merrimack Station. Custer has not been told what those limits are or where they are going to be measured. Further, I have never commented to Custer concerning your consultant's (Normandeau) data and conclusions from surveys conducted in the Hookset Pool.

EPA is serious about maintaining a professional relationship with PSNH during Merrimack Station's permit development. As I mentioned, I consider Custer's inquiries of a general nature. If Custer's future questions ask for EPA's opinion on a permit matter or request specific permit details, I will defer Custer's question until I have had an opportunity to discuss the matter with an EPA attorney. In the future, an EPA attorney may be a participant in discussions I have with attorney Custer.

John