UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

SEP 28 2011

William H. Smagula, P.E., Director-Generation
Public Service of New Hampshire (PSNH)
P.O. Box 330
Manchester, NH 03105-0330

Re: Public Notice
NPDES Application No. NH0001465
(for) Merrimack Station

Dear Mr. Smagula:

In accordance with Section 402 of the Federal Clean Water Act (CWA), as amended, the Environmental Protection Agency (EPA), Region I, intends to issue a National Pollutant Discharge Elimination System (NPDES) permit to your facility.

The enclosed draft permit, developed by this office and the New Hampshire Department of Environmental Services, Water Division (NHDES-WD), contains effluent limitations and conditions to assure that the discharge receives adequate treatment and will not violate State water quality standards. Also enclosed is the Fact Sheet, including two Determination Documents, which briefly describes the basis for the permit conditions. You are encouraged to closely review all terms and conditions contained in this draft.

If you have any questions or concerns regarding this draft permit or if you believe the draft permit does not accurately describe your discharge or contain a reasonable compliance schedule (where appropriate), you should notify each office, in writing, no later than the last day of the public comment period.

The law requires public notice to be given of the preparation of a draft permit to allow opportunity for public comments. Public notice of the preparation for all draft permits must be given by notification to the applicant and all interested parties, as specified in 40 Code of Federal Regulations [C.F.R.] §124.10(c)(1). The public comment period shall last from September 30, 2011, to November 30, 2011. An evening public hearing has been scheduled for November 3, 2011, at NHDES headquarters.

In order to preserve the right to contest provisions in a final permit, all persons, including the applicant, who believe any condition of the draft is inappropriate must raise all reasonably ascertainable issues and submit all reasonable available arguments supporting their position by the close of the public comment period (See 40 C.F.R. §124.13).

Following the close of the public comment period, your final permit will be issued provided no new substantial questions are raised. If new questions develop during the comment period, it may be necessary to draft a new permit, revise the Fact Sheet, and/or reopen the public comment period.

If you have any questions or would like to discuss any of the conditions contained in this draft permit, do not hesitate to contact John Paul King of my staff at (617) 918-1295 concerning technical matters, and Mark Stein, Esq. at (617) 918-1077 for questions concerning legal issues.

Sincerely,

David M. Webster
Chief, Industrial Permits Branch
Office of Ecosystem Protection

Enclosures: Draft Permit, Fact Sheet

cc: Stergios Spanos, PE; NHDES-WD (w/o enc.)