



Proposed EPA/PSNH Meeting or Conference Call Re FGD Wastewater Treatment Technical Questions

Mark Stein to: landilt

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Cc: Damien Houlihan, Sharon DeMeo, John King, Yen Hoang

From: Mark Stein/R1/USEPA/US
To: Linda T. Landis
Cc: Damien Houlihan/R1/USEPA/US@EPA, Sharon DeMeo/R1/USEPA/US@EPA, John King/R1/USEPA/US@EPA, Yen Hoang/R1/USEPA/US@EPA

Dear Linda:

EPA is working toward developing a Final NPDES Permit for PSNH's Merrimack Station power plant. This work includes considering and responding to all significant comments received from the public, as well as designing the Final Permit's requirements. EPA received a great many comments on a variety of issues, both from PSNH and from other interested members of the public. Many of the commenters have opposing viewpoints on various issues and this is reflected in the comments we received. EPA still has a substantial amount of work ahead of us as we evaluate all of this.

As you know, one of the important areas to be addressed concerns the permit requirements for wastewater from Merrimack Station's wet Flue Gas Desulfurization (FGD) air emissions control system. EPA strives to develop permit requirements based on the best available information. As a result of considering public comments received on the FGD wastewater issue, EPA is interested in gathering additional information, if possible, concerning the FGD wastewater treatment system(s) (including the "secondary" FGD wastewater treatment system) installed at Merrimack Station. EPA wants this information to help us develop technically and legally sound requirements for the Final Permit.

On March 22, 2012, EPA sent PSNH an information request letter under CWA § 308 that sought certain information related to Merrimack Station's management of its FGD wastewater. PSNH responded to EPA on May 7, 2012. PSNH's reply included a brief cover letter, with an attached "Preliminary Statement," followed by a set of more detailed responses to individual queries posed by EPA's letter. The Preliminary Statement stated, among other things, that "PSNH would welcome the opportunity to discuss the information provided [in the company's response] and to answer any further questions."

As you and I have recently discussed on the telephone, EPA does have further questions regarding Merrimack Station's FGD treatment system and how FGD wastewater is managed at the facility. As we also discussed, EPA expects that we will need to send an additional information request(s) under CWA § 308, but we have been hopeful that we could minimize or better focus the questions we need to ask by first meeting with PSNH to discuss issues and by visiting the Merrimack Station facility to view the FGD wastewater treatment systems. You have indicated that PSNH is not presently willing to host such a visit to the facility by EPA. This is disappointing and I ask you to reconsider.

Assuming that PSNH maintains its stance on a site visit, however, EPA is eager to arrange at least a meeting or conference call to discuss some of our questions. As you and I have agreed with regard to such a meeting, although the focus would be on technical issues, attorneys for both PSNH and EPA would be invited to attend the meeting. Beyond that, we would ask that appropriate personnel from AquaTech, Inc., also participate in the meeting. It is our

understanding that AquaTech, Inc., is actually operating the FGD wastewater treatment facility for PSNH on a contract basis. Assuming this is correct, we anticipate that AquaTech will be in the best position to be able answer certain of our questions.

We would be willing to host such a meeting here at our offices in Boston or to set up a line for a conference call. Once we settle on a time, we would try to send you at least some of our questions prior to the meeting/call so that you can prepare and make the session as efficient and productive as possible.

At present, we propose a meeting or conference call on either: (a) Wednesday, Dec. 5 from 10:30 to 12:30; or (b) Thursday, December 6 from 10:00 to 12:00.

Please let us know if either or both of these times would work for you. If neither time works, please propose some alternative times.

Thank your for continued cooperation.

Sincerely,

Mark A. Stein

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