

162



The State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

April 13, 2010

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

RE: Coastal Zone Management Act Federal Consistency Certification for Reissuance of the  
PSNH Schiller Station National Pollutant Discharge Elimination System Permit  
(NH0001473)

Dear Mr. Smagula:

The New Hampshire Coastal Program (NHCP) has been informed by the U.S. Environmental Protection Agency (EPA) that it anticipates reissuing the National Pollutant Discharge Elimination System (NPDES) permit (NH0001473) for the PSNH Schiller Station later this year. Please be advised, before EPA can issue its final NPDES permit, you must submit a federal consistency certification to the NHCP, pursuant to Section 307(c)(3)(A) of the Coastal Zone Management Act (CZMA), 16 U.S.C. § 1456(c)(3)(A). The timing of your submittal of such a certification is generally just after receiving a draft NPDES permit and cover letter from EPA. In its cover letter, EPA typically reminds applicable permittees of the requirement to submit a CZMA federal consistency certification.

To assist you with submittal of the federal consistency certification, the NHCP has created a Guide to Federal Consistency ("Guide"), which can be found on the NHCP's web site at: <http://des.nh.gov/organization/divisions/water/wmb/coastal/cfcp/index.htm>. Appendix D, Section II (Federal License of Permit Activities) of the Guide explains in detail the procedures for submitting a federal consistency certification to the NHCP. Upon receipt of a complete federal consistency certification, the NHCP will review the certification to determine compliance with our enforceable policies, provide for public notice of the proposed activity, and issue a decision, in accordance with the timelines described in the Guide. Please be advised, the NHCP will not issue a decision regarding the federal consistency certification until the Department of Environmental Services Wastewater Engineering Bureau has certified that the draft NPDES permit meets New Hampshire's Surface Water Quality Regulations. Furthermore, EPA cannot issue its final NPDES permit until the NHCP has concurred with your federal consistency certification.

Should you have any questions regarding the procedures for submittal of a CZMA federal consistency certification to the NHCP, please feel free to contact me at (603) 559-0025 or at [Christian.Williams@des.nh.gov](mailto:Christian.Williams@des.nh.gov).

Sincerely,

Christian Williams  
Federal Consistency Coordinator  
NH Coastal Program

cc: Jeff Andrews – DES-WEB  
Damien Houlihan, EPA Region 1