From: Stein, Mark
To: "linda.landis@eversource.com"
Cc: Gaito, Danielle; Taylor, Spence; Barze, Bruce
Subject: RE: Question related to the Administrative Record for the Schiller Station Permit
Date: Friday, June 16, 2017 2:54:00 PM

Okay, Linda. We'll look forward to your assessment once you have had time to review the issue. Thanks. - Mark

From: linda.landis@eversource.com [mailto:linda.landis@eversource.com]
Sent: Friday, June 16, 2017 2:50 PM
To: Stein, Mark <Stein.Mark@epa.gov>
Cc: Gaito, Danielle <Gaito.Danielle@epa.gov>; Taylor, Spence <STAYLOR@balch.com>; Barze, Bruce <BBARZE@balch.com>
Subject: Re: Question related to the Administrative Record for the Schiller Station Permit

Hi Mark. The information at issue was indeed considered confidential by the company. I have attached the nondisclosure agreement signed by ESS for your information --and to ensure I do not lose credibility with EPA. However, regardless of our intention to protect the information from disclosure, the horse is now out of the barn, and, in any case, the horse is not EPA's problem.
In terms of the rest of the Enercon report, I will need to spend some time reviewing it to determine the extent to which the information should still be considered confidential. Linda

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From: "Stein, Mark" <Stein.Mark@epa.gov>
To: Linda T. Landis/NUS@NU,
Cc: "Gaito, Danielle" <Gaito.Danielle@epa.gov>
Date: 06/16/2017 11:38 AM
Subject: Question related to the Administrative Record for the Schiller Station Permit

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Hi Linda –

This email concerns the Schiller Station NPDES permit.

In October 2008, PSNH submitted a report prepared by Enercon for PSNH in response to an EPA information request letter sent under Clean Water Act Section 308. PSNH made a business confidentiality claim under 40 C.F.R. Part 2 and comparable State law over certain pages of the Enercon report, including pages presenting cost estimates for various cooling water intake structure technologies. To EPA's knowledge, PSNH has not withdrawn this CBI claim. EPA has, however, obtained a memorandum dated March 31, 2014, from Dick Hahn of ESS Group to Steve Wood of the New Hampshire Public Utilities Commission (NHPUC) titled "PSNH Asset Environmental Review" that is available on the NHPUC website (http://www.puc.state.nh.us/Electric/PSNH%20Asset%20Env%20Rpt%2003312014Rev.pdf). This memorandum includes cost estimates for cooling towers at Schiller Station, which, according to the memorandum, are based on Enercon's report. As this memorandum is publically available, EPA plans to use these cost estimates in responding to comments on the Draft Permit.

We are wondering whether, in light of the fact that the Enercon report appear to have been made public, PSNH would be willing to withdraw its claim of CBI for that report. If so, we could then include it in the public portion of the administrative record for Schiller Station. It is always preferable to us, if a CBI designation is not truly needed, to include relevant documents in the public record.

Please let me know. Thanks.

- Mark

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