

NEW HAMPSHIRE DEPARTMENT OF
ENVIRONMENTAL SERVICES
WATER DIVISION
P.O. BOX 95
CONCORD, NEW HAMPSHIRE 03302-0095

U.S. ENVIRONMENTAL PROTECTION
AGENCY-REGION 1
OFFICE OF ECOSYSTEM PROTECTION
5 POST OFFICE SQUARE
BOSTON, MASSACHUSETTS 02109-3912

JOINT PUBLIC NOTICE OF A REVISED DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO DISCHARGE INTO THE WATERS OF THE UNITED STATES UNDER SECTIONS 301 AND 402 OF THE CLEAN WATER ACT (THE "ACT"), AS AMENDED, AND REQUEST FOR STATE CERTIFICATION UNDER SECTION 401 OF THE ACT, AND ISSUANCE OF A STATE SURFACE WATER PERMIT UNDER NH RSA 485-A:13, I(a).

DATE OF NOTICE: April 18, 2014

PERMIT NUMBER: **NH0001465**

PUBLIC NOTICE NUMBER: NH-002-14

NAME AND MAILING ADDRESS OF APPLICANT:

Public Service of New Hampshire (PSNH)
P.O. Box 330
Manchester, New Hampshire 03105-0330

NAME AND LOCATION OF FACILITY WHERE DISCHARGE OCCURS:

Merrimack Station
97 River Road
Bow, New Hampshire 03301

RECEIVING WATER(S): Merrimack River, Class B

PREPARATION OF THE DRAFT PERMIT:

The U.S. Environmental Protection Agency (EPA) and the New Hampshire Department of Environmental Services, Water Division (NHDES-WD) have cooperated in the development of a Revised Draft Permit for Merrimack Station, which discharges industrial wastewater. The effluent limits and permit conditions imposed have been drafted to assure compliance with the Clean Water Act, 33 U.S.C. sections 1251 et seq., Chapter 485-A of the New Hampshire Statutes: Water Pollution and Waste Disposal, and the New Hampshire Surface Water Quality Regulations, Env-Wq 1700 et seq. EPA has formally requested that the State certify the Revised Draft Permit pursuant to Section 401 of the Clean Water Act and expects that the Revised Draft Permit will be certified.

INFORMATION ABOUT THE REVISED DRAFT PERMIT:

The Draft Permit for Merrimack Station that was issued September 30, 2011, set limits for the flue gas desulfurization (FGD) wastewater based on the use of the Station's "primary treatment system" for FGD wastewater plus an added biological treatment stage. Region 1 has since learned that PSNH had, of its own accord, installed and begun operating an FGD secondary wastewater treatment system (SWWTS) consisting of a falling-film evaporator (or brine concentrator) and forced circulation crystallizers capable of operating as a zero liquid discharge (ZLD) system. Region 1 also received a number of comments on the suitability of VCE for Merrimack Station during the 2011 Draft Permit public comment period and has gathered additional

information in response to those comments. After considering all this material in connection with an evaluation of the Best Available Technology (BAT) factors specified in the statute and regulations, *see* 33 U.S.C. § 1314(b)(2)(B) and 40 C.F.R. §§ 125.3(c)(2) and (d)(3), Region 1 has concluded, based on its Best Professional Judgment (BPJ), that the combined primary and secondary FGD WWTS currently operating at the Facility is the BAT for treating the FGD wastewater generated at Merrimack Station.

The particular provisions of the September 2011 Draft Permit now being reconsidered and revised are the effluent limits and reporting requirements for Outfall 003C at Part I.A.4 and for Outfall 003A at Part I.A.2. Region 1 has prepared a Revised Draft Permit and Fact Sheet that includes certain changes to these provisions from the September 30, 2011, Draft Permit. The Revised Draft Permit and explanatory Fact Sheet may be obtained at no cost at http://www.epa.gov/region1/npdes/draft_permits_listing_nh.html or by contacting:

Sharon DeMeo
U.S. Environmental Protection Agency – Region 1
5 Post Office Square, Suite 100 (OEP06-1)
Boston, MA 02109-3912
Telephone: (617) 918-1995

The administrative record containing all documents relating to this Revised Draft Permit including all data submitted by the applicant may be reviewed at Region 1's offices in Boston, upon request or at <http://www.epa.gov/region1/npdes/merrimackstation/index.html>.

PUBLIC COMMENT AND REQUEST FOR PUBLIC HEARING:

All persons, including applicants, who believe any condition of the Revised Draft Permit is inappropriate, must raise all issues and submit all available arguments and all supporting material for their arguments in full by **June 17, 2014**, to the address listed above. Any person, prior to such date, may submit a request in writing to EPA and NHDES for a public hearing to consider this Revised Draft Permit. Such requests shall state the nature of the issues proposed to be raised in the hearing. A public hearing may be held after at least thirty days public notice whenever the Regional Administrator finds that response to this notice indicates significant public interest. Region 1 will provide **an additional 35-day comment period extending from June 17, 2014 to July 22, 2014 during which any interested person may file a written response to the material filed by any other person.** Public comments will be added to the Administrative Record in a timely manner to allow for review and response during the additional 35-day period. In reaching a final decision on the Revised Draft Permit, the Regional Administrator will respond to all significant comments and make these responses available to the public at EPA's Boston office.

FINAL PERMIT DECISION:

Following the close of the comment period, and after a public hearing, if such hearing is held, the Regional Administrator will issue a final permit decision and forward a copy of the final decision to the applicant and each person who has submitted written comments or requested notice.

HARRY T. STEWART, P.E., DIRECTOR
WATER DIVISION
NEW HAMPSHIRE DEPARTMENT OF
ENVIRONMENTAL SERVICES

KEN MORAFF, DIRECTOR
OFFICE OF ECOSYSTEM PROTECTION
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