



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



March 19, 2024

Lynne Jennings, Manager
Water Permits Branch
Water Division
EPA Region 1
5 Post Office Square, Suite 100 (06-1)
Boston, MA 02109-3912

Subject: Merrimack Station
Certification of Modification to NPDES Permit No. NH0001465

Dear Ms. Jennings:

By letter received by NHDES on February 1, 2024, the U.S. Environmental Protection Agency (EPA) requested state certification from NHDES, in accordance with Section 401 of the Clean Water Act, of a proposed modification to the individual National Pollutant Discharge Elimination System (NPDES) permit for Merrimack Station. The proposed permit modification revises the permit's effluent limits for discharges of bottom ash transport water to establish limits and conditions consistent with the currently effective Steam Electric effluent limitation guidelines.

EPA gave public notice of the availability of the draft permit modification, including the fact sheet, on February 1, 2024. The public notice provided a public comment period until March 4, 2024, and stated that the draft permit modification and fact sheet could be obtained on EPA's website at <https://www.epa.gov/npdes-permits/new-hampshire-draft-individual-npdes-permits>. The public notice period was later extended through March 11, 2024.

After a review of the draft permit modification transmitted to NHDES on February 1, 2024, state certification is hereby granted pursuant to Section 401 of the Clean Water Act. The permit modification will ensure that the requirements in Title L RSA 485-A and New Hampshire Code of Administrative Rules Env-Wq 1700 (Surface Water Quality Standards) are met.

Upon final issuance by EPA, NHDES may adopt all terms and conditions of the permit modification, as applicable, in its State Surface Water Discharge Permit for the facility, pursuant to RSA 485-A:13.

Sincerely,

Rene Pelletier, P.G., Director
Water Division

cc: Ted Diers, Assistant Director, NHDES WD
Tracy Wood, P.E., Administrator, NHDES WD-WWEB
Erin Holmes, P.E., Administrator, NHDES WD-WMB