



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**Region 1**  
**5 Post Office Square, Suite 100**  
**BOSTON, MA 02109-3912**

**By Electronic Mail**

Elizabeth H. Tillotson  
Executive Director – Administration and Regulatory Affairs  
GSP Schiller  
400 Gosling Road  
Portsmouth, NH 03801

Re: Minor Modification for GSP Schiller’s NPDES Permit No. NH0001473

Dear Ms. Tillotson:

This letter addresses a request for a minor modification to the National Pollutant Discharge Elimination System (“NPDES”) Permit No. NH0001473 issued to Granite Shore Power Schiller, LLC (“GSP Schiller” or the “Permittee”) for Schiller Station in Portsmouth, NH (the “Facility”) on April 6, 2018 (“the 2018 Permit”), by the United States Environmental Protection Agency’s (“EPA”) Region 1 office (“Region 1” or “the Region”). The 2018 Permit became effective on July 1, 2018, and will expire on June 30, 2023.

More specifically, this letter approves a minor modification to the 2018 Permit pursuant to federal regulations at 40 CFR § 122.63(c). The cooling water intake structure requirements to minimize adverse impacts from impingement and entrainment at Part I.A.11.b of the 2018 Permit include a schedule to achieve compliance with the requirements of Part I.A.11. Part I.A.11.b.1.iii in this schedule requires submission by April 1, 2020, of a preliminary engineering design for installing wedgewire screens. By letter dated March 10, 2020, GSP Schiller requested a 120-day extension of this deadline, pursuant to 40 CFR § 122.63(c), in order to address certain issues that arose during its 2019 pilot testing of wedgewire screens at the Facility, including “[e]xtensive clogging and fouling . . . due, in part, to microorganism/algae growth,” “screen mechanical integrity issues,” and “no ‘peak’ entrainment period” during the testing period when compared to the data in the administrative record for the 2018 Permit. This extension will also push back the compliance deadlines for the steps at Parts I.A.11.b.1.iv and v.

Pursuant to 40 CFR § 122.63(c), EPA may issue a minor modification for a change in “an interim compliance date in a schedule of compliance, provided the new date is not more than 120 days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement.” GSP Schiller’s modification request does not seek a change to the final compliance date, and, therefore, approval of the request will not interfere with attainment of the final compliance date. Nor does the request seek a deadline for any affected interim step that would extend more than 120 days after the date specified in the 2018 Permit.

Accordingly, Region 1 is approving the request as a minor modification, and the revised deadlines in Parts I.A.11.b.1.iii, iv, and v have been incorporated into the 2018 Permit consistent with 40 CFR

§ 122.63(c).<sup>1</sup> The March 10, 2020, letter from GSP Schiller to EPA confirms the Permittee's consent to this minor permit modification. An excerpt of the affected permit page is included at Attachment A to this letter, illustrating in ~~strikeout~~ and underlining the deletions and additions, respectively, to the original schedule. The new schedule, as modified, is included as Attachment B to this letter.

The above-listed minor permit modification will be incorporated into the 2018 Permit and become effective immediately. A copy of this letter and the attachments will be posted to the Region 1 NPDES website at <https://www.epa.gov/npdes-permits/new-hampshire-final-individual-npdes-permits> and a new, modified permit incorporating the listed changes will be posted to the website. This minor modification does not affect the expiration date of the 2018 Permit, which remains June 30, 2023.

If you have any questions regarding the matters discussed above, please contact Danielle Gaito at (617) 918-1297.

Sincerely,

Ken M. Moraff, Director  
Water Division

Enclosure: Draft (illustrating modification) and Final Modified Pages of NPDES Permit No. NH0001473

cc (by electronic copy):

Sterg Spanos, New Hampshire Department of Environmental Services

---

<sup>1</sup> This approval addresses only the specific request made in the March 10, 2020, letter (i.e., a request for minor modification of the interim compliance deadlines at Part I.A.11.b.iii, iv, and v). Any requests for additional modifications to the 2018 Permit, including any potential future request for a compliance alternative to Part I.A.11.a, should be made fully and separately. EPA would evaluate any such request in accordance with applicable law and in light of information submitted by the Permittee and by the public during any necessary public comment period.

**Attachment A**  
**2018 Final Permit (with Minor Modification Changes Tracked)**

- b. Compliance Schedule. In order to comply with Part I.A.11.a of this permit, the permittee will need to install and operate new equipment. This part of the permit provides a schedule by which the permittee shall attain compliance with Part I.A.11.a of the permit. Specifically, steps for the installation and operation of equipment required to comply with Part I.A.11.a of this permit shall be completed as soon as practicable but no later than the schedule of milestones set forth below. The permittee shall notify EPA in writing of compliance or non-compliance with the requirements for each milestone no later than fourteen (14) days following each specified deadline.

1. Design

- i. The permittee shall finalize the pilot testing design and obtain and install all equipment required for pilot testing within six (6) months from the effective date of the permit.
- ii. The permittee shall complete pilot testing of wedgewire screens no later than eighteen (18) months from the effective date of this permit.
- iii. A demonstration report documenting the results of the pilot testing shall be submitted to EPA and NHDES ~~within twenty one (21) months of the effective date of the permit by July 30, 2020.~~ The demonstration report shall include a preliminary design of the wedgewire screens at Schiller Station and include justifications for 1) the proposed screen slot size based on observation of each slot size's ability to reduce entrainment mortality relative to baseline entrainment, as measured concurrently at the existing traveling screens, avoid screen clogging, fouling or other maintenance issues, and any other relevant considerations; 2) the proposed material alloy choice for the equipment in order to reduce bio-fouling; and 3) the proposed optimal screen orientation in the river (i.e., parallel or perpendicular to the flow) in order to reduce entrainment and impingement mortality. The screen slot size and orientation selected will be based upon the results of the pilot testing and demonstration report and subject to EPA review and comment within sixty (60) days from submission.
- iv. Data collection, including but not limited to topographic and bathymetric surveys, geotechnical exploration, and other design and marine construction variables that need to be evaluated shall be completed ~~no later than twenty two (22) months from the effective date of the permit by August 29, 2020.~~
- v. The permittee shall submit a final design for the wedgewire screens at Schiller Station ~~within twenty six (26) months of the effective date of the permit by December 30, 2020~~ and in accordance with EPA's review of and comments on the preliminary design.

**Attachment B**  
**2018 Modified Final Permit**

- b. Compliance Schedule. In order to comply with Part I.A.11.a of this permit, the permittee will need to install and operate new equipment. This part of the permit provides a schedule by which the permittee shall attain compliance with Part I.A.11.a of the permit. Specifically, steps for the installation and operation of equipment required to comply with Part I.A.11.a of this permit shall be completed as soon as practicable but no later than the schedule of milestones set forth below. The permittee shall notify EPA in writing of compliance or non-compliance with the requirements for each milestone no later than fourteen (14) days following each specified deadline.

1. Design

- i. The permittee shall finalize the pilot testing design and obtain and install all equipment required for pilot testing within six (6) months from the effective date of the permit.
- ii. The permittee shall complete pilot testing of wedgewire screens no later than eighteen (18) months from the effective date of this permit.
- iii. A demonstration report documenting the results of the pilot testing shall be submitted to EPA and NHDES by July 30, 2020. The demonstration report shall include a preliminary design of the wedgewire screens at Schiller Station and include justifications for 1) the proposed screen slot size based on observation of each slot size's ability to reduce entrainment mortality relative to baseline entrainment, as measured concurrently at the existing traveling screens, avoid screen clogging, fouling or other maintenance issues, and any other relevant considerations; 2) the proposed material alloy choice for the equipment in order to reduce bio-fouling; and 3) the proposed optimal screen orientation in the river (i.e., parallel or perpendicular to the flow) in order to reduce entrainment and impingement mortality. The screen slot size and orientation selected will be based upon the results of the pilot testing and demonstration report and subject to EPA review and comment within sixty (60) days from submission.
- iv. Data collection, including but not limited to topographic and bathymetric surveys, geotechnical exploration, and other design and marine construction variables that need to be evaluated shall be completed by August 29, 2020.
- v. The permittee shall submit a final design for the wedgewire screens at Schiller Station by December 30, 2020 and in accordance with EPA's review of and comments on the preliminary design.