

**RESPONSE TO COMMENTS
NEW ENGLAND ELECTRIC TRANSMISSION – NH0021415**

I. INTRODUCTION

In accordance with the provisions of 40 C.F.R. §124.17, this document presents EPA's responses to comments (RTC) received on the Draft NPDES Permit (NH0021415, New England Electric Transmission "NEET"). The RTC explains and supports EPA's determinations that form the basis of the final Permit.

The NEET draft permit public comment period began on April 13, 2006 and ended on May 27, 2006 (EPA extended the public comment period from May 12 to May 27 based on a request from the permittee). Comments were received from:

Dawn Travalini, Lead Senior Environmental Engineer, New England Electric Transmission Corp.

EPA's decision-making process has benefited from the various comments and the additional information submitted. The information and arguments did not result in any substantial new changes to the permit. However, a few improvements and changes are detailed in this document and reflected in the final Permit. A summary of the changes made in the final Permit is listed below.

1. The requirement to develop and implement a Stormwater Pollution Prevention Plan (SWPPP) has been eliminated from the final permit.

The analysis underlying this change is explained in the response to the individual comment.

II. RESPONSE TO COMMENTS ON THE DRAFT NPDES PERMIT

A. The permittee request that the permit condition found Part I.A.4 become effective 120 days after the permit is issued, stating that "The time is required to allow design and construction to be completed."

RESPONSE:

The New Hampshire Water Quality regulations do not allow for compliance schedules in permits. Therefore, EPA cannot place a condition in the permit that specifies Part I.A.4 is not effective 120 days after permit issuance.

However, as a practical matter, this permit will not be effective until 60 days after it is issued (signed). EPA has contacted the permittee during the development of the response to comments and the permittee has agreed to begin making the required modifications to the facility in order to satisfy the above referenced conditions. Therefore, EPA expects

that the permittee will be able to satisfy the permit conditions either when the permit becomes effective or shortly thereafter.

If the permittee fails to make the necessary adjustments, then EPA may choose to issue an Administrative Order (AO) pursuant to the Clean Water Act (CWA). This AO could contain a compliance schedule.

B. The permittee requests the elimination of the requirement to develop and implement a Stormwater Pollution Prevention Plan (SWPPP) as required in Part I.B of the draft permit.

RESPONSE:

EPA agrees that, in this case, a SWPPP is not required. This determination is based on the site specific conditions at the facility (i.e., no exposure to industrial activities or materials, alarmed and regularly inspected equipment at the site, and the existence of a Spill Prevention Control and Countermeasure Plan for the site). Additionally, the permittee must comply with the stormwater numerical limits at outfalls 002 and 005.

Therefore, EPA has eliminated the requirement to develop and implement a SWPPP from the final permit.