

Orr&Reno

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Admitted in NH, MD and select Federal Courts

October 28, 2014

HAND DELIVERED

Thomas S. Burack, Chair
New Hampshire Site Evaluation Committee
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095
ATTENTION: Jane Murray

**RE: NHSEC Docket No: 98-02 – AES Londonderry, LLC
Informational Filing for Granite Ridge Energy, LLC**

Dear Commissioner Burack:

We are providing this informational filing to you in your capacity as Chair of the New Hampshire Site Evaluation Committee (“Committee”) in the above docket, where the Committee issued a Certificate of Site and Facility to AES Londonderry, LLC on May 25, 1999 (“Certificate”). On behalf of Granite Ridge Energy, LLC (“GRE”), current holder of the Certificate, we are notifying the Committee that, as a result of the Town of Londonderry’s (“Town’s”) request that GRE realign a short segment of the facility’s cooling water line, GRE has received confirmation from the Department of Environmental Services (“Department”) that the Department has exercised its delegated authority to specify the minor realignment. *See* Attachment 1 (October 27, 2014 letter from Ridgely Mauck, NHDES to Thomas Burack, Chairman, NHSEC). Because the Committee’s May 25, 1999 Order accompanying the Certificate (“Order”) delegated to the Department authority to specify minor realignments to the cooling water line and because the Department has exercised its delegated authority, no further action with regard to the Certificate is required.

By way of background, the Town has been working towards development of the Pettengill Road area to allow for additional roadways and businesses to be located adjacent to the Manchester airport. As part of the development, Pettengill Road is being realigned. The Town has requested GRE to realign approximately 2800 feet of GRE’s three-mile cooling water pipeline, which runs from the Manchester Wastewater Treatment Plant to the facility. GRE is

attempting to accommodate the Town's request for realignment within the confines of the Certificate. GRE's proposed realignment is depicted in the plan attached as Attachment 2.

The Committee's Order included within the scope of the approved project the actual project site, the electrical interconnection, the gas pipeline and the cooling water supply line connecting the Manchester wastewater treatment facility to the project. The location of the cooling water line was subject to Town approval as a condition of the Certificate. In particular, the Town was provided with approval authority for the precise location of the water line. *See* May 25, 1999 Decision, Attachment G, at 10 (Cooling Water Supply). Final and complete design drawings and final and complete construction drawings for the water line were required to be reviewed and approved by the Town of Londonderry Department of Public Works. *Id.* The conditions incorporated into the Certificate included the following: "The precise location [of the water line] within the rights-of-way is subject to approval by the Town." *Id.*

The Order also delegated express authority to the Department "to specify minor modifications in the water intake and discharge structures alignment" as necessary due to unanticipated conditions, including "alignment modifications requested by the Towns of Londonderry and Litchfield." *See* Order. The cooling water line is the only water intake and discharge structure subject to the conditions specified in the Certificate. The only conditions implicated by the proposed realignment relate to location.

The Department has exercised its delegated authority consistent with the Committee's Order, as stated in the attached letter from the Department. *See* Attachment 1. The Town has requested GRE to relocate a minor segment of the pipeline. The Department has determined that the proposed realignment is a minor alignment modification and within the authority delegated to the Department. *See id.* The Department has also determined that the realignment would not affect cooling water operations or permitting and that additional permits are not necessary. *See id.*

In light of the Town's request, the lack of any change to the cooling water line other than location, the Committee's express delegation of authority to the Department and the Department's exercise of that authority, GRE believes that there is no need to amend or modify the Certificate or for the Committee to take any further action with regard to the cooling water line realignment.

We note that the Committee recently found that no further action was necessary after the Department exercised its delegated authority to approve a minor modification to GRE's air permit. *See* September 25, 2013 Correspondence, Docket No. 98-02 ("since the Air Resources Division has approved the minor modification, there is no further action to be undertaken by the Site Evaluation Committee"). The Committee's Order allows for a similar finding here.

We would appreciate a prompt response to this filing to allow GRE to accommodate current construction schedules for the Pettengill Road realignment.

Thomas S. Burack, Commissioner
October 28, 2014
Page 3 of 3

Thank you for your consideration.

Sincerely,



Maureen D. Smith

Attachments (2)

cc w/att. (via email):

Michael Iacopino, Esq.

Kevin Smith, Town Manager, Town of Londonderry

Jim Carlton, President and Chief Operating Officer, GRE

Eugene J. Forbes, P.E., Director, Water Division, NHDES

Craig Wright, Director, Air Division, NHDES

Todd Moore, NHDES

Ridgely Mauck, NHDES

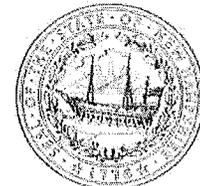
Lori Sommer, NHDES

Alexis Rastorguyeff, P.E., NHDES

1195808_1.DOC



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

October 27, 2014

Thomas S. Burack, Chairman
 New Hampshire Site Evaluation Committee
 P.O. Box 95
 29 Hazen Drive
 Concord, New Hampshire 03302-0095

RE: New Hampshire Site Evaluation Committee Docket No. 98-02
 Minor Modification to Cooling Water Line Alignment
 Granite Ridge Energy, LLC
 21 N. Wentworth Avenue
 Londonderry, NH

Dear Mr. Burack:

The New Hampshire Department of Environmental Services (DES), Water Division is in receipt of information and documentation for a proposed realignment of a portion of the cooling water line for the Granite Ridge Energy, LLC (GRE) facility in Londonderry. Specifically, an alignment modification requested by the Town of Londonderry would align a section of the cooling water line from its intersection with a proposed extension of Pettengill Road, westerly along a portion of said road, and then northerly along a proposed sewer interceptor alignment until its intersection with the current alignment of the cooling water line.

In accordance with the May 25, 1999 Order issued by the New Hampshire Site Evaluation Committee in Docket No. 98-02, DES has determined that the proposed realignment of the cooling water line, as described herein, is a minor modification in the alignment and within the authority delegated to the DES to specify such minor modification in the cooling water line alignment, as necessary, based upon new information unavailable at the time that the facility was certificated. As the Town has recently requested the minor alignment modification, DES is exercising its delegated authority to specify the minor realignment under the criteria of the May 25, 1999 Order.

In consultation with the DES Air Resources Division and the DES Industrial Pretreatment Program, it has been determined that the alignment modification will not affect the quantity or quality of the cooling water used by GRE, that there is no impact to the operation of the cooling water line and that no modifications to GRE's air permit (Title V Permit to Operate TV-OP-056) are required. DES has also determined that wetlands and alteration of terrain permits issued to the Town would allow for the cooling water line realignment, as presented, without the need for additional DES permits.

If you have any questions regarding this matter, please contact me at (603) 271-2303 or Ridgely.mauck@des.nh.gov.

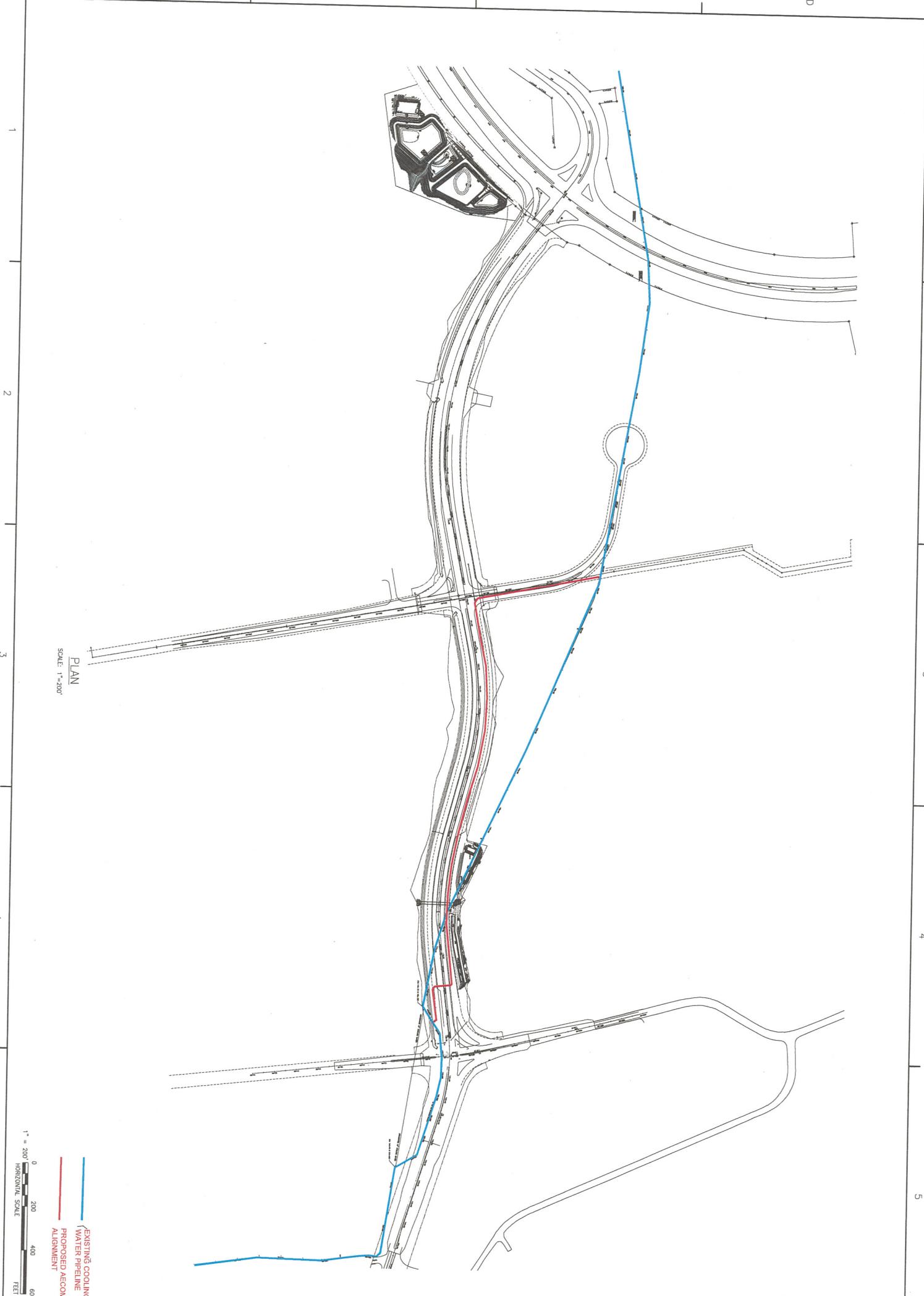
Sincerely,

Ridgely Mauck, P.E.
 Alteration of Terrain Bureau
 Water Division

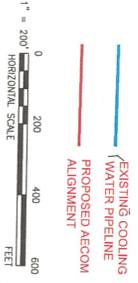
cc: Maureen D. Smith, Orr & Reno
 Kevin H. Smith, Town Manager, Town of Londonderry

PATH/FILENAME: P:\60190332 - GRE COOLING WATER\SHEETS\6-4.DWG
 LAST UPDATE: Thursday, October 16, 2014 11:34:47 AM
 PLOT DATE: Thursday, October 16, 2014 11:35:35 AM

ANSI D - 16-0c1-14



PLAN
 SCALE: 1"=200'



GRANITE RIDGE ENERGY, LLC.
 COOLING WATER PIPELINE RELOCATION
OVERALL RELOCATION PLAN
 GENERAL

AECOM
 AECOM TECHNICAL SERVICES, INC.
 261 COLONIAL AVENUE
 WILMFIELD, MA 01880
 PHONE (781) 244-5200

**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

PROJECT NO.: 60190332
 CAD DWG FILE: 6-4
 DESIGNED BY: MJS
 DRAWN BY: MJS
 DEPT. CHECK: RSN
 PROJ. CHECK: JFE
 DATE: OCTOBER 15, 2014
 SCALE: AS NOTED

MARK	DATE	MADE BY	CHECKED	DESCRIPTION

FIG. 1