

State of New Hampshire  
**Site Evaluation Committee**

<http://www.nhsec.nh.gov>

P. O. Box 95  
29 Hazen Drive

Concord, New Hampshire  
03302-0095

Telephone (603) 271-3503

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Thomas S. Burack, Esquire  
Chairman

Thomas B. Getz, Esquire  
Vice-Chairman

January 15, 2010

Barry Needleman, Esq.  
McLane Graf Raulerson & Middleton  
11 South Main Street, Suite 500  
Concord, NH 03301

Re: Application of Laidlaw Berlin BioPower, LLC  
NHSEC No. 2009-02

Dear Mr. Needleman,

Pursuant to RSA 162-H:6-a, I, copies of the Application of Laidlaw Berlin BioPower, LLC, for a Certificate of Site and Facility were made available to those state agencies with jurisdiction to issue permits, license or conditions. On January 14, 2010, the Committee received the attached letter from the Water Division of the Department of Environmental Services identifying insufficient information in the Application for an Industrial Wastewater Indirect Discharge Permit and in the Sewer Connection Permit Application. Based upon this correspondence I cannot deem the Application to be complete nor accept it for the purposes of RSA 162-H.

You may cure these deficiencies by supplying the missing information and filing fees to the Water Division with copies to the Committee. If you wish to complete the Application I suggest that you do so as soon as possible. Please note that the time frames set forth in RSA 162-H do not commence until such time as the Application is deemed to be complete and accepted. See, RSA 162-H: 7, IV.

Should you have questions or concerns please do not hesitate to contact Counsel to the Committee, Michael J. Iacopino.

Very truly yours,

A handwritten signature in black ink that reads "Thomas S. Burack". The signature is written in a cursive style with a large, prominent "T" and "B".

Thomas S. Burack  
Chairman, NH Site Evaluation Committee

Enclosure

cc: Michael Iacopino, Esq  
SEC Service List

TB/jm



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



**Thomas S. Burack, Commissioner**

January 13, 2010

Thomas S. Burack, Chairman  
NH Energy Facilities Site Evaluation Committee  
Dept. of Environmental Services  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

Re: Application of Laidlaw Berlin BioPower, LLC  
Site Evaluation Committee No. 2009-02

Dear Chairman Burack:

This letter is to notify you that DES Water Division staff have completed their determination as to whether or not the various program applications contain sufficient information to complete their technical review. The following list contains the program application numbers as well as the completeness determination:

1. Alteration of Terrain Permit Application No. 091216-104 - complete
2. Shoreland Permit Application No. 2009-03017 - complete
3. Industrial Wastewater Indirect Discharge Request Application No. IDR 10-002 - *incomplete*  
*Additional information required:*
  - a) *Application must be signed by the town*
  - b) *An application fee*
4. Sewer Connection Permit Application No. D2010-109 - *incomplete*  
*Additional information required:*
  - a) *Application must be signed by the town*
  - b) *Design drawings – requirements in Env-Wq 703.03, 703.04 and 703.05*
  - c) *Technical specifications – requirements in Env-Wq 703.02*
  - d) *A review fee - \$0.10/gallon for first 10,000 gallons and \$0.05 for each gallon over 10,000*

The DES Water Division detailed review of the project along with the provision for technical comments or conclusions will occur concurrent with the EFSEC project evaluation process. If you have any questions, please contact me at 271-2951 or email at: [Rene.Pelletier@des.nh.gov](mailto:Rene.Pelletier@des.nh.gov)

Sincerely,  
  
Rene Pelletier, Assistant Director  
Water Division

cc: Michael J. Iacopino  
Jane Murray, Secretary NHSEC  
Barry Needleman, Esq.  
ESS Group, Inc.  
Michael J. Walls, Asst. Commissioner  
Harry T. Stewart, Director, Water Division