

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In the Matter of:)
)
)

City of Taunton)
Wastewater Treatment Plant)
)

NPDES Appeal No. 15-08)
NPDES Permit No. MA0100897)
_____)

AMENDMENT TO CERTIFIED INDEX TO THE ADMINISTRATIVE RECORD

On June 12, 2015, EPA Region 1 filed the Certified Index to the Administrative Record (“Certified Index”) of NPDES Permit No. MA0100897, issued to the City of Taunton, Massachusetts (“Petitioner”). Petitioner subsequently contacted the Region and identified other documents that it believed to be properly part of the Administrative Record. The Region has determined that it would be appropriate to include certain of these documents in the Certified Index to accurately reflect the entire record that was before the Region at the time the Final Permit issued, specifically¹:

H. CORRESPONDENCE

(cont.)

¹ The Certified Index is organized according to lettered categorical heading (i.e., “A. Final Permit Documents”; “B. Other Permit Documents,” etc.), with a numbered list of documents under each such heading. The Region has used that same method of alphanumeric system to designate the documents identified below.

93. Letter – Thomas Hoye, Jr., to Kurt Spalding (cc: Joseph Kennedy, Charlie Baker, Martin Suuber, Sam Sutter, Bill Carpenter) – Re: Meeting to Discuss Proposed Permit Requirements and Issues Raised by City (01/22/15) – Attachment – Swanson Report

I. FREEDOM OF INFORMATION ACT (FOIA) REQUESTS

(cont.)

6. FOIA Response – Ken Moraff to Alexander English - FOIA Request No. EPA-R1-2015-000252 (11/03/14)

7. FOIA Response – Deborah Nagle to Alexander English - FOIA Request EPA-HQ-2015-000462 (12/24/14).

8. EPA's Supplemental FOIA Response – Deborah Nagle to Alexander English - FOIA Request EPA-HQ-2015-000462 (01/06/15).

9. FOIA Request EPA-HQ – Alexander English to USEPA - FOIA Request for Records Associated with EPA Headquarters' Discussion with EPA Region I Regarding Region 1's Methodology for Setting Nutrient Criteria (02/26/15)

J. 303(D) AND 305(B) MATERIALS

(cont.)

6. 2008 CWA Section 303(d) List Approval Letter – Ken Moraff to Laurie Burt (05/04/09)

7. 2010 CWA Section 303(d) List Approval Letter – Stephen Perkins to Kenneth Kimmell (11/16/11)

8. 2012 CWA Section 303(d) List Approval Letter – Kenneth Moraff to Kenneth Kimmell (05/02/13)

K. SITE-SPECIFIC BACKGROUND STUDIES, REPORTS AND INFORMATION

(cont.)

27. Chen, C., Zhao, L., Cowles, G. and Rothschild, B. 2008. Critical Issues for Circulation Modeling of Narragansett Bay and Mount Hope Bay. In: Desbonnet A., Costa-Pierce, B. (eds) Science for Ecosystem-Based management- Narragansett Bay in the 21st Century. Springer, NY, 281-300.

28. Swanson, Craig. (13 Jan. 2015). Analysis of Changes in Temperature Regime in Mt. Hope Bay With and Without Brayton Point Station in Operation with Resulting Effects on Saturated Dissolved Oxygen Levels.

M. EPA GUIDANCE AND REPORTS

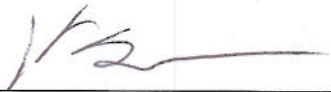
(cont.)

46. USEPA. January 1999. Combined Sewer Overflows: Guidance for Monitoring and Modeling.

47. Mansfield Response – MFN Regional Water Pollution Control Facility (formerly Mansfield Water Pollution Abatement Facility) Response to Comments on Permit No. MA0101702 (2014).

The Certified Index is otherwise identical to the index filed by the Region with the Board on June 12, 2015. As Ken Moraff, Director of the Office of Ecosystem Protection, United States Environmental Protection Agency, Region 1, I hereby certify the Certified Index, as amended herein, reflects the Administrative Record of NPDES Permit No. MA0100897, issued to the City of Taunton, Massachusetts.

August 6, 2015



Ken Moraff
Director
Office of Ecosystem Protection
EPA, Region 1

