


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

In the Matter of:)
CertainTeed Corporation)
NPDES Appeal No. 15-01)
NPDES Permit No. MA0003531)

CERTIFIED INDEX TO THE ADMINISTRATIVE RECORD

As Ken Moraff, Director of the Office of Ecosystem Protection, United States Environmental Protection Agency, Region 1, I hereby certify that the attached index constitutes the Certified Index to the Administrative Record of NPDES Permit No. MA0003531, issued to Bird, Inc. d/b/a/ CertainTeed Corporation, Norwood, Massachusetts.

3/12/15
Date



Ken Moraff
Director
Office of Ecosystem Protection
EPA, Region 1

**ADMINISTRATIVE RECORD INDEX
CHARLES RIVER POLLUTION CONTROL DISTRICT
NPDES PERMIT NO. MA0003531**

A. PERMITTING DOCUMENTS

1. Final NPDES Permit No. MA0003531 for Bird Inc., d/b/a CertainTeed Corporation. January 13, 2015.
2. Letter. David M. Webster, Environmental Protection Agency to Patrick E. Widman, Plant Manager, CertainTeed Corporation, transmitting the final permit package. January 13, 2015.
3. Extension of Public Notice. June 28, 2014.
4. Public Notice of Draft Permit. May 30, 2014.
5. Letter. Dave M. Webster, Environmental Protection Agency to Patrick E. Widman, Plant Manager, CertainTeed Corporation. RE: Public Notice, NPDES Application MA0003531. May 28, 2014
6. NPDES Draft Permit No. MA0003531, Bird, Incorporated d/b/a CertainTeed Corporation. May 30, 2014.
7. Fact Sheet for NPDES Permit No. MA0003531, Bird, Inc. d/b/a CertainTeed Corporation. May 27, 2014.
8. Letter. Olga Vergara, Environmental Protection Agency to Thomas Rigas, Plant Manager, Bird Incorporated d/b/a CertainTeed Corporation. RE: NPDES Reapplication No. MA0003531. Completeness letter to Bird Inc., d/b/a CertainTeed Corporation. September 21, 2010.
9. Letter. Olga Vergara, Environmental Protection Agency to Thomas Rigas, Plant Manager, Bird Incorporated d/b/a CertainTeed Corporation. RE: NPDES Reapplication No. MA0003531. Notice of Deficiency to Bird Inc., d/b/a CertainTeed Corporation. August 2, 2010.
10. NPDES Renewal Permit Application, NPDES Permit No: MA012598, Bird Incorporated d/b/a CertainTeed Corporation. May 20, 2010.
11. Final NPDES Permit No. MA0003531 for Bird Incorporated d/b/a CertainTeed. September 20, 2005.
12. Fact Sheet for NPDES Permit No. MA0003531, Bird, Inc. d/b/a CertainTeed Corporation. March 19, 2004.

13. Final NPDES Permit No. MA0003531 for Bird Incorporated. September 30, 1997.
14. Fact Sheet for NPDES Permit No. MA0003531, Bird, Inc. d/b/a CertainTeed Corporation. April 3, 1997.
15. Modification to NPDES Permit No. MA0003531, Bird & Son Incorporated. January 9, 1979.
16. Modification to NPDES Permit No. MA0003531, Bird & Son Incorporated. July 26, 1976.
17. Final NPDES Permit No. MA0003531 for Bird & Son Incorporated. June 24, 1975.
18. Draft NPDES Permit No. MA0003531 for Bird & Son Incorporated. April 12, 1972.

B. PUBLIC COMMENTS & RESPONSES

1. Response to Public Comments. Permit No. MA0003531. CertainTeed Corporation. January 13, 2015.
2. Letter. Patrick E. Widman, Plant Manager, CertainTeed Corporation to Ms. Little, Environmental Protection Agency. RE: U.S. Environmental Protection Agency Individual NPDES Draft Permit No. MA0003531, Bird, Inc., d/b/a CertainTeed Corporation, Norwood, MA (Division of Saint-Gobain). Comments on Draft Permit. July 9, 2014.
3. Response to Public Comments, Draft NPDES Permit No. MA0003531 for Bird, Incorporated d/b/a CertainTeed. September 20, 2005.
4. Response to Public Comments on Draft NPDES Permit No. MA0003531 for Bird Incorporated. September 30, 1997.
5. Letter. David A. LaBelle, Environmental Manager, Bird, Incorporated to Mr. Alvarez, Environmental Protection Agency. RE: Draft NPDES Permit No. MA0003531. Comments on Draft Permit. December 5, 1996.

C. WATER QUALITY CERTIFICATION

1. Letter. David Ferris, Director, Massachusetts Wastewater Management Program, Department of Environmental Protection Massachusetts, to David M. Webster, Environmental Protection Agency. Water quality certification for final NPDES MA0003531 permit. January 6, 2015.

2. Letter. Dave M. Webster, Environmental Protection Agency to David Ferris, Massachusetts Department of Environmental Protection transmitting the draft permit package and requesting water quality certification. May 28, 2014.

D. CORRESPONDENCE

1. Letter. John H. Nagle, Environmental Protection Agency to Louis A. Chiarella, National Marine Fisheries Service. RE: Reissuance of the NPDES Permit for the Bird Incorporated Facility, d/b/a CertainTeed Corporation, NPDES Permit No. MA0003531 – Essential Fish habitat Correspondence. January 9, 2015.
2. E-mail. Laurie Kennedy, Environmental Analyst, Massachusetts Department of Environmental Protection to Shauna Little, Environmental Protection Agency. RE: Bird/CertainTeed. Interpretation and transmission of supporting documents for the Neponset River impairments related to sedimentation/siltation, total suspended solids and turbidity. May 14, 2014 and May 29, 2014.
3. E-mail. Richard McVoy, Environmental Analyst, Massachusetts Department of Environmental Protection to Shauna Little, Environmental Protection Agency. RE: Neponset River Data. Transmission of Boston harbor-Neponset River Watershed monitoring data from the Division of Watershed Management. November 27, 2012 and November 21, 2012.
4. Email. William Gunther, Environmental Scientist, Neponset River Watershed Association to Shauna Little, Environmental Protection Agency. RE: Bird Pond Area. Water quality data for water quality sampling locations in the vicinity of Bird Pond. November 19, 2012.
5. Email. Mary M. Kluit, Senior Project Engineer, CertainTeed Corporation to Shauna Little, Environmental Protection Agency. Section 308 Information Request Responses March 20, 21 and 22 2012, April 18, 2012, and June 29, 2012.
6. Letter. Stephen S. Perkins to Patrick E. Widman, Plant Manager, CertainTeed Corporation. RE: Individual NPDES Permit No. MA0003531, Bird Inc. d/b/a CertainTeed facility. Extension approval for Section 308 information request. February 3, 2012.
7. Email. Mary M. Kluit, Senior Project Engineer, CertainTeed Corporation to Shauna Little, Environmental Protection Agency. RE: CertainTeed, Norwood, MA, NPDES Permit. Request for extension for Section 308 Information Request Responses to Items 14 and 15. January 30, 2012.
8. Letter. Stephen S. Perkins to Patrick E. Widman, Plant Manager, CertainTeed Corporation. RE: Information Request pursuant to Section 308 of the Clean Water Act, Individual NPDES Permit No. MA0003531, Bird Inc. d/b/a CertainTeed facility. January 12, 2012.

9. Email. Mary M. Kluit, Senior Project Engineer, CertainTeed Corporation to Olga Vergara, Environmental Protection Agency. RE: CertainTeed Response to NPDES Permit Application with unzip files. Response to Notice of Deficiency with attachments. September 10 2010.

E. WATER QUALITY STANDARDS-RELATED MATERIAL, INCLUDING 303(d) AND 305(b) LISTING DOCUMENTS

1. Massachusetts Department of Environmental Protection. March 2013. Massachusetts 2012 Integrated List of Waters: Final Listing of the Condition of Massachusetts' Waters Pursuant to Sections 305(b), 314 and 303(d) of the Clean Water Act. <http://www.mass.gov/eea/docs/dep/water/resources/07v5/12list2.pdf>
2. Massachusetts Department of Environmental Protection. Massachusetts 2010 Integrated List of Waters: Final Listing of the Condition of Massachusetts' Waters Pursuant to Sections 305(b), 314 and 303(d) of the Clean Water Act. November 2011. <http://www.mass.gov/eea/docs/dep/water/resources/07v5/10list6.pdf>
3. Massachusetts Department of Environmental Protection. Massachusetts 2008 Integrated List of Waters: Final Listing of the Condition of Massachusetts' Waters Pursuant to Sections 305(b), 314 and 303(d) of the Clean Water Act. December 2008.

F. BACKGROUND STUDIES, REPORTS AND INFORMATION

1. United States Geological Survey. StreamStats National Data Collection Station Report for Station 01105000. <http://streamstatsags.cr.usgs.gov/gages/index.htm>
2. United States Geological Survey. StreamStats for Massachusetts Interactive Map. <http://water.usgs.gov/osw/streamstats/massachusetts.html>
3. National Oceanic and Atmospheric Administration. Essential Fish Habitat (EFH) Mapper. <http://www.habitat.noaa.gov/protection/efh/efhmapper/>
4. United States Fish and Wildlife Service. Federally Listed Endangered and Threatened Species in Massachusetts. Last revision January 9, 2015. <http://www.fws.gov/newengland/pdfs/MA%20species%20by%20town.pdf>
5. Massachusetts Department of Public Health. Freshwater Fish Consumption Advisory List. October 11, 2011.
6. Massachusetts Department of Environmental Protection. Neponset River Watershed 2004 Water Quality Assessment Report. February 2010. <http://mass.gov/eea/docs/dep/water/resources/71wqar09/73wqar10.pdf>

7. Massachusetts Department of Environmental Protection. Boston Harbor Watershed 1999 Water Quality Assessment Report. Neponset River Sub-Watershed River and Estuary Segment Assessments. April 2007.
8. Massachusetts Department of Environmental Protection. Total Maximum Daily Loads of Bacteria for Neponset River Basin. May 31, 2002.
<http://www.mass.gov/eea/docs/dep/water/resources/n-thru-y/neponset.pdf>
9. Neponset River Watershed Association. Boston Harbor Hydrologic and Water Quality Investigation: Neponset Results. DEP Project Number 00-07/MWI. June 2001.
10. Massachusetts Department of Environmental Protection. Stormwater Management, Volume One: Stormwater Policy Handbook. March 1997.
<http://www.mass.gov/eea/agencies/massdep/water/regulations/massachusetts-stormwater-handbook.html>
11. Massachusetts Department of Environmental Protection. The Neponset River Watershed 1994 Resource Assessment Report. October 1995.

G. DISCHARGE MONITORING REPORTS AND DATA

1. Discharge Monitoring Reports: Bird, Inc. d/b/a/ CertainTeed Corporation Permit No. MA0003531. January 1, 2009 – December 31, 2014.
2. Discharge Monitoring Data Summary: MA0003531. January 1, 2009 – December 31, 2013 (included as Fact Sheet Attachment 3); January 1, 2014 – December 31, 2014.
3. Data Analysis: MA0003531. Permit Writer Calculation Tools. Methodology source: EPA/5015/2-90-001. Electronic files created August 27, 2014.

H. EPA GUIDANCE

1. Environmental Protection Agency. Water Quality Standards Handbook. EPA-823-B-12-002.
<http://water.epa.gov/scitech/swguidance/standards/handbook/>
2. Environmental Protection Agency. U.S. Environmental Protection Agency NPDES Permit Writer's Manual. United States Environmental Protection Agency, Office of Wastewater Management, Water Permits Division, State and Regional Branch. EPA-833-K-10-001. September 2010.
<http://water.epa.gov/polwaste/npdes/basics/NPDES-Permit-Writers-Manual.cfm>
3. Environmental Protection Agency. Technical Support Document for the 2004 Effluent Guidelines Program Plan. EPA-821-R-04-014. August 2004.

4. Environmental Protection Agency. 1991. Technical Support Document for Water Quality-based Toxics Control. United States Environmental Protection Agency, Office of Water. EPA/5015/2-90-001.
<http://www.epa.gov/npdes/pubs/owm0264.pdf>
5. Environmental Protection Agency. Memorandum: Calculation of Production-Based Effluent Limits. J. William Jordan. December 18, 1984.
<http://www.epa.gov/npdes/pubs/owm0427.pdf>
6. Environmental Protection Agency. Development Document for Final Effluent Limitations Guidelines, New Source Performance Standards, and Pretreatment Standards for the Steam Electric Point Source Category. November 1982.
7. Environmental Protection Agency. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Mineral Mining and Processing Point Source Category. July, 1979.
<http://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=00000QIU.TXT>
8. Environmental Protection Agency. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Paving and Roofing Materials (Tars and Asphalt) Point Source Category. July, 1975.
<http://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=00000Q8K.TXT>

I. OTHER

1. Final NPDES Permits for Global South Terminal, MA0000825, Gulf Oil Terminal, MA0001091, Irving Oil Terminal, MA0001929, Chelsea Sandwich Terminal, MA0003280, Global REVCO Terminal, MA0003298, Global Petroleum Terminal, MA0003425, and Sprague Quincy Terminal, MA0020869.
http://www.epa.gov/region1/npdes/permits_listing_ma.html
2. Figure. As-Built Plan, Sedimentation Basin. Prepared by Norwood Engineering Company, Inc. April 4, 2012.
3. Figure. Site Plan. Prepared by Norwood Engineering Company, Inc. March 15, 2012. Prepared by GZA GeoEnvironmental, Inc.
4. Environmental Protection Agency. December 8, 2011. Memorandum Re: Bird, Inc. Site Visit on November 30, 2011.
5. Environmental Protection Agency. USEPA Region 1 Freshwater Whole Effluent Toxicity Test Procedure and Protocol. February 28, 2011.

6. Environmental Protection Agency. Multi-Sector General permit for Stormwater Discharges Associated with Industrial Activity (MSGP). Modified Effective May 27, 2009. http://www.epa.gov/npdes/pubs/msgp2008_finalpermit.pdf
7. Figure. Site Plan, Bird, Inc. Granule Plant Stormwater System Improvements. Prepared by GZA GeoEnvironmental, Inc. October 17, 1994.
8. Letter. David A. LaBelle, Environmental Manager, Bird, Inc. RE: Administrative Order Docket No. 93-38. Provides an individual NPDES permit application for stormwater discharges and information regarding required facilities plan and proposed interim operational improvements. July 7, 1994.
9. Environmental Protection Agency. September 29, 1993. Memorandum Re: Administrative Order issued to the Bird, Inc. Company.
10. Environmental Protection Agency. September 29, 1993. Administrative Order Docket No. 93-38.
11. Environmental Protection Agency. June 8, 1993. Consent Agreement and Final Order Docket No. CWA-2-I-93-1021.
12. Letter. John F. Hardy, Manufacturing Manager, Bird, Inc. Written Comments on May 10, 1993 Draft Order. July 1, 1993.
13. Environmental Protection Agency. April 12, 1972. Memorandum Re: Draft NPDES Permit No. MA0003531 for Bird & Son Incorporated.