

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

In the Matter of:)
)
)

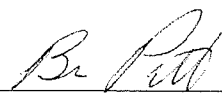
Upper Blackstone Water)
Pollution Abatement District)
)

NPDES Permit No. MA 0102369)
)
)
_____)

NPDES Appeal No. 09-06

CERTIFIED INDEX TO THE ADMINISTRATIVE RECORD

I hereby certify that, to the best of my knowledge and belief, the materials identified in the attached list constitute the administrative record for the modification to the National Pollutant Discharge Elimination System Permit No. MA 0102369 issued to the Upper Blackstone Water Pollution Abatement District by the United States Environmental Protection Agency, Region 1, on April 15, 2009.



Brian Pitt
Environmental Engineer
U.S. EPA, Region 1

Dated: _____

7/13/09

**Administrative Record Index for Upper Blackstone Water Pollution
Abatement District Modification of NPDES Permit No. MA0102369**

Doc #	Date	Type	Description	Category	Author	Recipient
1	04/15/2009	Final Permit Modification	Final Modification of NPDES Permit No. MA0102369	Permit Documents	EPA	Upper Blackstone and co-permittees
2	04/16/2009	Letter	Written Correspondence from Roger A. Janson (EPA) to Mr. Thomas K. Walsh (Upper Blackstone Water Pollution Abatement District) transmitting the final permit modification of NPDES Permit No. MA0102369 and attached instructions on appealing NPDES permits	Permit Documents	EPA	Upper Blackstone
3	04/16/2009	Certified Mail Receipts	Certified mail receipts of transmittal of final modification of NPDES Permit No. MA0102369, Response to Comments, and attached instructions on Appealing NPDES Permits.	Permit Documents	EPA	Various
4	04/14/2009	Letter	Written correspondence from Glenn Haas (MassDEP) to Roger Janson (EPA) transmitting the State 401 Water Quality Certification Waiver for the Modification of NPDES Permit No. MA0102369.	Permit Documents	MassDEP	EPA
5	01/30/2009	Public Notice	Public notice of draft Modification of NPDES Permit No. MA0102369	Permit Documents	EPA	Public
6	01/30/2009	Draft Permit Modification	Draft Modification of NPDES Permit No. MA0102369	Permit Documents	EPA	Public
7	01/30/2009	Statement of Basis	Statement of Basis in support of the Draft Modification of NPDES Permit No. MA0102369	Permit Documents	EPA	Public
8	01/28/2009	Letter	Written correspondence from Brian Pitt (for Roger Janson, EPA) to Glenn Haas (MassDEP) transmitting the draft Modification of NPDES Permit No. MA0102369 and request for state certification	Permit Documents	EPA	MassDEP

**Administrative Record Index for Upper Blackstone Water Pollution
Abatement District Modification of NPDES Permit No. MA0102369**

Doc #	Date	Type	Description	Category	Author	Recipient
9	01/28/2009	Letter	Letter from Brian Pitt (for Roger Janson, EPA) to Thomas K. Walsh (Director, Upper Blackstone Water Pollution Abatement District), Re: Public Notice of Draft Modification of NPDES Permit No. MA0102369	Permit Documents	EPA	Upper Blackstone
10	01/28/2009	Certified Mail Return Receipts (Green Cards)	Transmittal and Return Receipts of Public Notice of Draft Modification of NPDES Permit No. MA0102369 (various dates)	Permit Documents	Other	EPA
11	01/29/2009	E-mail	E-mail correspondence from EPA to various parties, Re: Public Notice of Upper Blackstone Water Pollution Abatement District NPDES Modification	Permit Documents	EPA	Public
12	undated	Mailing List	Mailing list and labels of parties who were sent public notice of Draft Modification of NPDES Permit No. MA0102369	Permit Documents	EPA	Various
13	01/30/2009	Public Notice	Returned mailings of public notice of Draft Modification of NPDES Permit No. MA0102369 sent to James E. Plasse and Grace C. Ross	Permit Documents	EPA	EPA
14	08/22/2008	Final Permit	Final NPDES Permit No. MA0102369, issued on August 22, 2008.	Permit Documents	EPA	Public
15	03/23/2007	Draft Permit Documents	Draft NPDES Permit No. MA0102369, associated attachments, and fact sheet	Permit Documents	EPA	Public
16	04/15/2009	Response to Comments	Response to Comments received on Draft Modification of NPDES Permit No. MA0102369	Response to Comments	EPA	Public
17	08/22/2008	Response to Comments	Response to Comments received on Draft NPDES Permit No. MA0102369	Response to Comments	EPA	Public

**Administrative Record Index for Upper Blackstone Water Pollution
Abatement District Modification of NPDES Permit No. MA0102369**

Doc #	Date	Type	Description	Category	Author	Recipient
18	02/27/2009	Letter	Written correspondence from Robert D. Cox, Jr., (Bowditch & Dewey, Legal Counsel, Upper Blackstone Water Pollution Abatement District) to Meridith Timony (EPA), Re: Comments on Draft NPDES Permit No. MA0102369 and associated exhibits	Public Comments	Other	EPA
19	02/27/2009	Email	E-mail correspondence from Ned Bartlett (Bowditch & Dewey, Legal Counsel, Upper Blackstone Water Pollution Abatement District) to Meridith Timony (EPA), transmitting electronic copy of comments on Draft Modification of NPDES Permit No. MA0102369 and associated exhibits	Public Comments	Other	EPA
20	02/27/2009	Email	E-mail correspondence from Meridith Timony (EPA) to Ned Bartlett (Bowditch & Dewey, Legal Counsel, Upper Blackstone Water Pollution Abatement District), confirming receipt of electronic copy of comments and associated exhibits on Draft Modification of NPDES Permit No. MA0102369	Permit Documents	EPA	Other
21	01/30/2009	Letter	Written correspondence from Mary Colligan (NOAA) to Meridith Timony (EPA), transmitting comments on Draft Modification of NPDES Permit No. MA0102369	Public Comments	Other	MassDEP
22	12/17/2008	Public Documents	Respondent Region I's Memorandum in Opposition to Petitions for Review	Permit Documents	EPA	EPA

**Administrative Record Index for Upper Blackstone Water Pollution
Abatement District Modification of NPDES Permit No. MA0102369**

Doc #	Date	Type	Description	Category	Author	Recipient
23	09/23/2008	Petition for Review	Northern RI Chapter 737 Trout Unlimited's Petition for Review of Final NPDES Permit No. MA0102369, NPDES Appeal No. 08-14	Petition for Review	Trout Unlimited	EPA
24	06/23/2008	Letter	Comments submitted by Trout Unlimited to EPA on draft NPDES Permit No. MA0102369	Public Comments	Trout Unlimited	EPA
25	05/18/2007	Letter	Comments submitted from the Rhode Island Department of Environmental Management to EPA on draft NPDES Permit No. MA0102369	Public Comments	RIDEM	EPA
26	9/15/2008	Petition for Review	Upper Blackstone Water Pollution Abatement District's Supplemental Petition for Review of Final NPDES Permit No. MA0102369, NPDES Appeal No. 08-11	Petition for Review	Upper Blackstone	EPA
27	11/26/2008	Letter	Written correspondence from EPA to Eurlka Durr (Environmental Appeals Board) and Thomas K. Walsh (Upper Blackstone Water Pollution Abatement District), Re: Upper Blackstone Water Pollution Abatement District Notice of Uncontested and Severable Conditions, NPDES Appeal Nos. 08-11, 08-12, 08-13, 08-14, 08-15, 08-16, 08-17, and 08-18; NPDES Permit No. MA0102369	Other	EPA	Other
28	01/01/2004	Facility Effluent and Ambient Data	WET test reports submitted by the Upper Blackstone Water Pollution Abatement District from 2004-2008	Technical and Scientific	Upper Blackstone	EPA
29	12/17/2008	Facility Effluent and Ambient Data	Upper Blackstone Water Pollutant Abatement District's WET test data from 2005-2008; Transmitted to EPA from MassDEP	Technical and Scientific	MassDEP	EPA
30	undated	Excel Spreadsheet	WET test data used in evaluating discharge	Other	EPA	EPA

**Administrative Record Index for Upper Blackstone Water Pollution
Abatement District Modification of NPDES Permit No. MA0102369**

Doc #	Date	Type	Description	Category	Author	Recipient
31	11/01/2002	Recommended Water Quality Criteria	National Recommended Water Quality Criteria: 2002. USEPA. 2002. Document No. EPA-822-R-02-047. Office of Water, Office of Science and Technology. Washington, DC.	EPA Guidance	EPA	Public
32	12/01/1996	EPA Guidance	U.S. EPA NPDES Permit Writer's Manual, December 1996. Document No. EPA-833-B-96-003. Office of Water. Washington, D.C.	EPA Guidance	EPA	Public
33	01/01/2009	Flow Data	United States Geological Survey (USGS) flow statistics for USGS Gage No. 01112500 (period of record: February 1929 - May 2008). http://water.usgs.gov/nwis/	Permit Documents	USGS	Public
34	03/01/1991	EPA Guidance	Technical Support Document for Water Quality-based Toxics Control. USEPA. 1991. Document No. EPA/505/2-90-001. Office of Water. Washington, D.C.	Technical and Scientific	EPA	Public
35	11/08/2005	Permit Application	Application for Reissuance of NPDES Permit No. MA0102369	Permit Documents	Upper Blackstone MassDEP	EPA
36	01/01/2007	Regulations	314 CMR 4.00 Division of Water Pollution Control – Massachusetts Surface Water Quality Standards	Water Quality Standards		Public
37	07/01/2006	Regulations	Water Quality Regulations, State of Rhode Island Providence Plantation Department of Environmental Management, Water Resources (RIDEM 2006)	Water Quality Standards	RIDEM	Public
38	01/01/2008	Flow Data	United States Geological Survey (USGS) flow statistics for USGS Gage No. 01112500 (average monthly flows from 2003 – 2008). http://waterdata.usgs.gov/nwis/	Permit Documents	USGS	Public