

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

In re: Dominion Energy Brayton Point, L.L.C.) (Formerly USGen New England, Inc.)) Brayton Point Station) NPDES Permit No. MA 0003654)	NPDES Appeal No. 07-01
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**EXHIBIT LIST
 FOR APPEAL OF REGION 1'S DETERMINATION ON REMAND**

Exhibit No. <u> </u>	Admin. Record Ref. No.	<u>Brief Description</u>
R1	AR 4000	EPA Region 1 Letter to Dominion and EAB Delineating Contested and Uncontested Permit Conditions (April 24, 2004).
R2	AR 4065	EPA Region 1's "Determination on Remand from the EPA Environmental Appeals Board, Brayton Point Station, NPDES Permit No. MA0003654" (November 30, 2006).
R3	AR 4066	Transmittal Letter from EPA Region 1 enclosing Determination on Remand (AR 4065) and summary of permit appeal procedures (November 30, 2006).
R4	AR 4029	Letter from Massachusetts Department of Environmental Protection concurring with the Region's determinations related to closed-cycle cooling noise issue (November 29, 2006).
R5	AR 4028	Minor modification of Brayton Point Station NPDES Permit to address issue related to units expressed for total iron limits (June 26, 2006).
R6	AR 4020	September 16, 2003, Memorandum from Stratus Consulting, Inc., to EPA Region 1 (previously provided as Appendix X to Region 1's Response to Comments for the NPDES Permit), <i>including</i> the attachment previously believed to be missing from the record,

which includes text and certain data tables.

- R7 AR 385 **Scientific paper:** Casterlin and Reynolds, "Thermoregulatory behavior and diel activity of yearling winter flounder, *Pseudopleuronectes americanus*" (Walbaum), 1982.
- R8 AR 4002 EPA's "Quality Criteria for Water" (Gold Book), 1986.
- R9 AR 4011 **Scientific paper:** Sogard, "Variability in growth rates of juvenile fishes in different estuarine habitats," 1992.
- R10 AR 4013 **Scientific paper:** Meng, *et al.*, "Using winter flounder growth rates to assess habitat quality in Rhode Island's coastal lagoons," 2000.
- R11 AR 4032 Excerpts from Dominion Brayton Point - 2005 Annual Report, Hydrological and Biological Monitoring Program. Excerpted pages provided in this Exhibit are those pages cited in this appeal by either Petitioner or Region 1.
- R12 AR 4005 Hatch, "Addendum to Noise Impact Assessment," prepared for EPA Region I (November 20, 2006).
- R13 AR 4001 EPA Technical Document: "Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety," EPA 550/9-74-004, March 1, 1974.
- R14 AR4034 "Condensed Version of EPA [Noise] Levels Document," EPA, March 1, 1974.
- R15 AR 4068 Stratus - Additional production foregone data, and other related data, that underlies and was part of the "re-analysis" referred to in the September 16, 2003, Memorandum from Stratus to Region 1 (included as Exhibit R6 above). Includes transmittal memorandum from Stratus providing this information to Region 1.
- R16 AR 4023 Letter from Dominion to Region 1 regarding public comment period (February 17, 2006).
- R17 AR 4024 April 3, 2006, Letter from Region 1 replying to Dominion's letter of February 17, 2006 (Ex. R16).

- R18 AR 3201 **Scientific paper:** Bevelhimer and Bennett, "Assessing Cumulative Thermal Stress in Fish During Chronic Intermittent Exposure to High Temperatures," 2000.
- R19 AR 4058 Excerpts from Dominion Brayton Point - 2004 Annual Report, Hydrological and Biological Monitoring Program. Excerpted pages provided in this Exhibit are those pages cited in this appeal by either Petitioner or Region 1.
- R20 AR 4056 Excerpts from Dominion Brayton Point - 2002 Annual Report, Hydrological and Biological Monitoring Program. Excerpted pages provided in this Exhibit are those pages cited in this appeal by either Petitioner or Region 1.