CERTIFICATION OF THE ADMINISTRATIVE RECORD BEFORE EPA REGION 7

I, Donna Porter, am the Concentrated Animal Feeding Operation (CAFO) Permit Coordinator for EPA Region 7. My duties include maintenance of the official records for Draft CAFO Permits.

I hereby certify that the attached indexes constitute a true and correct index to the administrative record pertaining to the files listed below.

I swear or affirm under penalty of perjury that the foregoing is true and correct.

Date: 3/24/09

Donna Porter, CAFO Permit Coordinator

EPA Region 7

901 North 5th Street

Kansas City, Kansas 66101

NE0135399	Bruns Feedlot, LLC RR3, Box 158
1420100000	Pender, NE 68047
	Circle T Feedlot, Inc.
NE0134481	RR1, Box 49A
	Walthill, NE 68067
	LBBJ, Inc.
NE0134961	RR3, Box 168
	Pender, NE 68047
	Morgan Feedlot LLC
NE0134767	RR1, Box 111
	Walthill, NE 68067
	Ron Bruns Feed Yards,
NE0135704	Homeplace
	RR3, Box 172
	Pender, NE 68047
	Ron Bruns Feed Yards,
NE0106526	Eastplace
	RR3, Box 72
	Pender, NE 68047
	Sebade Feedyard
NE0135712	RR1, Box 189
	Emerson, NE 68733
	Stanek Brothers
NE0134775	RR1, Box 143
	Walthill, NE 68067

NPDES PERMIT NO. NE0135712 Sebade Feedyard Emerson, Nebraska

Tab	Date	From/Source	То	
		N.C 0.D 441-4-1-4	1	
SEC	ION A - Public	Notice & Permit Materials	J	
1	11/8/2007	EPA	General Public	Public Notice of Public Hearing and Extension of Public Comment Period
2	7/12/2007	EPA	General Public	Public Notice of Draft Permit Availability
3	12/18/2008	William A. Spratlin	,	NPDES Permit
	12/18/2008	William A. Spratlin		Statement of Basis
j	1/17/2003	Rick Sebade	EPA	Application for Permit No. NE0135712
}		Ralph Summers	EPA file	Aerial Photograph of Facility
SECT	TION B- Supple	emental Information & Permit-Related	Correspondence	_
l	2/13/2007	Raiph Summers	EPA File	Note to file regarding Sectin 303(d) Lising of Logan Creek as impaired by slenium
2	11/21/2006	Matthew S. Schwarz	Ralph Summers	FWS Consultation E-mail
}				Winnebago Indian Reservation Map
	Sep-02	U.S. Bureau of Reclamation		Needs Assessment
;	Oct-01	Annette Kovar, Legal, NDEQ	Gale Hutton, EPA	NDEQ response that they will not pursue NPDES delegated within the exterior boundaries of the tribal reservation
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SECT	TION C - Decisi	ion Making Procedures]	
	FION C - Decisi	ion Making Procedures C.F.R.]	40 C.F.R. Part 25 - Public Participation in Programs Under the RCRA, SDWA and CWA
]	the RCRA, SDWA and CWA 40 C.F.R. Part 124 - Procedures for Decision Making
	Current	C.F.R.]	the RCRA, SDWA and CWA
2	Current Current Current	C.F.R.	2007 Public Notice of Dra	40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation
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SECT	Current Current Current FION D - Public 8/7/2007	C.F.R. C.F.R. comments in response to July 12th, Teri Lamplot, Thurston County Board of Supervisors Jodi Fenner, Assistant Attorney General, Nebraska	Pradip Dalal, Branch Chief, EPA, R7 Pradip Dalal, Branch Chief, EPA, R7	the RCRA, SDWA and CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation aft Permit Availability Request for a Public Hearing Request delay until boundary dispute is resolved
SECT	Current Current Current FION D - Public 8/7/2007 8/20/2007	C.F.R. C.F.R. Comments in response to July 12th, Teri Lamplot, Thurston County Board of Supervisors Jodi Fenner, Assistant Attorney General, Nebraska Mitchell Parker, Chairman of Omaha Tribe of Nebraska	Pradip Dalal, Branch Chief, EPA, R7 Pradip Dalal, Branch Chief, EPA, R7 Pradip Dalal, Branch Chief, EPA, R7	the RCRA, SDWA and CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation aft Permit Availability Request for a Public Hearing Request delay until boundary dispute is resolved Response to comments from the Thurston County Board of Supervisors dated 8/7/2007
SEC	Current Current Current FION D - Public 8/7/2007	C.F.R. C.F.R. comments in response to July 12th, Teri Lamplot, Thurston County Board of Supervisors Jodi Fenner, Assistant Attorney General, Nebraska Mitchell Parker, Chairman of Omaha	Pradip Dalal, Branch Chief, EPA, R7 Pradip Dalal, Branch Chief, EPA, R7 Pradip Dalal, Branch Chief,	the RCRA, SDWA and CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation aft Permit Availability Request for a Public Hearing Request delay until boundary dispute is resolved Response to comments from the Thurston County Board of
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DRAFT NPDES PERMIT NO. NE0134961 LBBJ, LLC Pender, Nebraska

Date	From/Source	То	
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ON A - Public Not	ice & Permit Materials]	
1 11/8/2007	EPA	General Public	Public Notice of Public Hearing and Extension of Public Comment Period
2 7/12/2007	EPA	. General Public	Public Notice of Draft Permit
3 7/12/2007	William A. Spratlin		Draft NPDES Permit
4 7/12/2007	William A. Spratlin		Draft Statement of Basis
5 10/28/2004	Larry Krusemark	EPA ·	Application for Permit No. NE01349
6	Raiph Summers	EPA file	Aerial Photograph of Facility
ON B- Supplemer	ntal Information & Permit-Related Correspondence		
1 2/13/2007	Raiph Summers	EPA File	Note to file regarding Sectin 303(d) Lising of Logan Creek as impaired be stenium
2 11/21/2006	Matthew S. Schwarz	Ralph Summers	FWS Consultation E-mail
3 1/18/2007	Mitchell Parker, Chairman, Omaha Tribe of NE	John Askew, Regional Administrator, EPA, R7	Letter of Support for Permit Issuanc
4 5/12/2006	Bureau of Indian Affairs		Omaha Reservation Boundaries
5 Sep-02	U.S. Bureau of Reclamation		Needs Assessment
6 Oct-01	Annette Kovar, Legal, NDEQ	Gale Hutton, EPA	NDEQ response that they will not pursue NPDES delegation within the exterior boundaries of the tribal
ON C - Decision I	Making Procedures		reservation
ON C - Decision I	Making Procedures C.F.R.		40 C.F.R. Part 25 - Public Participal
			40 C.F.R. Part 25 - Public Participat In Programs Under RCRA, SDWA, a & CWA
1 Current	C.F.R.		40 C.F.R. Part 25 - Public Participal in Programs Under RCRA, SDWA, a & CWA 40 C.F.R. Part 124 - Procedures for
1 Current 2 Current 3 Current	C.F.R.	e of Draft Permit Availability	40 C.F.R. Part 25 - Public Participat in Programs Under RCRA, SDWA, & CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation
1 Current 2 Current 3 Current	C.F.R.	Pradip Dalal, Branch Chief,	40 C.F.R. Part 25 - Public Participat in Programs Under RCRA, SDWA, & CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation
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1 Current 2 Current 3 Current ON D - Public cor	C.F.R. C.F.R. nments in response to July 12th, 2007 Public Notice Teri Lamplot, Thurston County Board of Supervisors	Pradip Dalal, Branch Chief, EPA Region 7 Pradip Dalal, Branch Chief,	40 C.F.R. Part 25 - Public Participat in Programs Under RCRA, SDWA, & CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation Request for a Public Hearing Request delay until boundary disput resolved Response to comments from the
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DRAFT NPDES PERMIT NO. NE0135704 Ron Bruns Feed Yards, Homeplace Pender, Nebraska

Tab	Date	From/Source	то	
CTIO	N A - Public Not	ice & Permit Materials	1	
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	1 11/8/2007	EPA .	General Public	Public Notice of Public Hearing and Extension of Public Comment Period
	2 7/12/2007	EPA	General Public	Public Notice of Draft Permit Availability
	3 7/12/2007	William A. Spratlin		Draft NPDES Permit
	4 7/12/2007	William A. Spratlin		Draft Statement of Basis
	5 5/30/2002	Ronald Bruns	EPA	Application for Permit No. NE0135704
	6 ·	Ralph Summers .	EPA file	Aerial Photograph of Facility
стю	N B- Supplemer	ntal Information & Permit-Related Corresp	4	
	1 2/13/2007	Raiph Summers	EPA File	Note to file regarding Sectin 303(d) Lising of Logan Creek as impaired by slenium
			Dalah O	FWS Consultation E-mail
	2 11/21/2006	Matthew S. Schwarz	Ralph Summers John Askew, Regional Administrator,	Letter of Support for Permit Issuance
	3 1/18/2007	Mitchell Parker, Chairman, Omaha Tribe of NE	EPA, R7	· · · · · · · · · · · · · · · · · · ·
	4 5/12/2006	Bureau of Indian Affairs		Omaha Reservation Boundaries
	5 Sep-02 .	U.S. Bureau of Reclamation		Needs Assessment
	6 Oct-01	Annette Kovar, Legal, NDEQ	Gale Hutton, EPA	NDEQ response that they will not pursue NPDES delegation within the exterior boundaries of the tribal reservation
СТІО	N C - Decision I	Making Procedures C.F.R.		40 C.F.R. Part 25 - Public Participation in
СТІО]	Programs Under the RCRA, SDWA and CV 40 C.F.R. Part 124 - Procedures for Decision
CTIO	1 Current	C.F.R.		Programs Under the RCRA, SDWA and CV 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in
	1 Current 2 Current 3 Current	C.F.R.		Programs Under the RCRA, SDWA and CV 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision the CAFO Litigation
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NPDES PERMIT NO. NE0134775 Stanek Brothers Walthill, Nebraska

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ab	Date	From/Source	То	Document
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C	IION A - Publi	c Notice & Permit Materials]	
				Subjection of Dublic Housing and Enterpolar of Dublic
	11/8/2007	EPA	General Public	Public Notice of Public Hearing and Extension of Public Comment Period
	7/12/2007	EPA	General Public	Public Notice of Draft Permit Availability
	12/18/2008	William A. Spratlin		NPDES Permit
	12/18/2008	William A. Spratlin		Statement of Basis
	3/15/2006	Val Stanek	EPA .	Application for Permit No. NE0134775
_		Ralph Summers	EPA file	Aerial Photograph of Facility
C7	TION B- Suppl	lemental Information & Permit-Relate	ed Correspondence]
	2/13/2007	Raiph Summers	EPA File	Note to file regarding Sectin 303(d) Lising of Logan Creek impaired by stenium
	11/21/2006	Matthew S. Schwarz	Ralph Summers	FWS Consultation E-mail
	1/18/2007	Mitchell Parker, Chairman, Omaha Tribe of NE	John Askew, Regional Administrator, R7	Letter of Support for Permit Issuance
	5/12/2006	Bureau of Indian Affairs		Omaha Reservation Boundaries
	Sep-02	U.S. Bureau of Reclamation		Needs Assessment
	Oct-01	Annette Kovar, Legal, NDEQ	Gale Hutton, EPA	NDEQ response that they will not pursue NPDES delegat within the Omaha reservation
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	HOW C - Decis	sion waking Frocedures		
	Current	C.F.R.		40 C.F.R. Part 25 - Public Participation in Programs Under RCRA, SDWA, and the CWA
	Current	C.F.R.		40 C.F.R. Part 124 - Procedures for Decision Making
	Current	-		Summary of the Second Circuit's Decision in the CAFO Litigation
C	TION D - Publi	ic comments in response to July 12t	h, 2007 Public Notice of D	raft Permit Availability
	8/7/2007	Teri Lamplot, Thurston County Board of Supervisors	Pradip Dalal, Branch Chief, EPA, R7	Request for a Public Hearing
	8/20/2007	Jodi Fenner, Assistant Attorney General, Nebraska	Pradip Dalal, Branch Chief, EPA, R7	Request delay until boundary dispute is resolved
-	8/29/2007	Mitchell Parker, Chairman of Omaha Tribe of Nebraska	Pradip Dalal, Branch Chief, EPA, R7	Response to comments from the Thurston County Board Supervisors dated 8/7/2007
	8/29/2007	Hal Daub, Blackwell Sanders, LLP	Director, EPA, R7	Request for resolution to Thurston County Board of Supervior's concerns
<u></u>	TION E- Public	c comments in response to Public H	earing held December 13.	2007 and Extension of Public Comment Period
	CON181			:
	8/7/2007	Teri Lamplot, Thurston County	General Public	Resubmitted letter from 8/7/2007
	12/13/2007	Joel Lamplot, President, Thurston Cty Farm Bureau	General Public	Public Hearing Testimony/Submitted comments
	12/13/2007	Teri Lamplot, Thurston County Supervisor	General Public	Public Hearing Testimony/Submitted comments
	12/13/2007	Kara Holland, Court Reporter		Verbatim testimony of Public Hearing
C	TION F - EPA	Response to Comments]	
	12/22/2008	William A. Spratlin	Commentors and Permittees	Response to Comments
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DRAFT NPDES PERMIT NO. NE0135399 Bruns Feedlot, LLC Pender, Nebraska

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ECTIO	N A - Public Noti	ce & Permit Materials		-
	11/8/2007	EPA	General Public	Public Notice of Public Hearing and Extension of Public Comment Period
	7/12/2007	EPA	General Public	Public Notice of Draft Permit Availability
	7/12/2007	William A. Spratlin		Draft NPDES Permit
	7/12/2007	William A. Spratlin		Draft Statement of Basis
	6/5/2002	Leon Bruns	EPA	Application for Permit No. NE0135399
i		Ralph Summers	EPA file	Aerial Photograph of Facility
ECTIC	N B- Supplemen	tal Information & Permit-Related Corres	pondence]
	2/13/2007	Ralph Summers	EPA File .	Note to file regarding Sectin 303(d) Lising of Logan Creek as impaired by slenium
	11/21/2006	Matthew S. Schwarz	Ralph Summers	FWS Consultation E-mail
3	1/18/2007	Mitchell Parker, Chairman, Omaha Tribe of NE	John Askew, Regional Administrator, EPA, R7	Letter of Support for Permit Issuance
	5/12/2006	Bureau of Indian Affairs		Omaha Reservation Boundaries
` Š	Sep-02	U.S. Bureau of Reclamation		Needs Assessment
3	Oct-01	Annette Kovar, Legal, NDEQ	Gale Hutton, EPA	NDEQ response that they will not pursue NPDES delegation within the exterior boundaries of the tribal reservation
ECTIC	DN C - Decision M	laking Procedures		
SECTIO	ON C - Decision M	laking Procedures C.F.R.]	
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	Current	C.F.R.		40 C.F.R. Part 25 - Public Participation in Programs Under the RCRA, the SDWA, and the CWA
	Current Current	C.F.R.	ublic Notice of Draft F	40 C.F.R. Part 25 - Public Participation in Programs Under the RCRA, the SDWA, and the CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation
	Current Current	C.F.R.	ublic Notice of Draft F Pradip Dalal, Branch Chief, EPA, R7	40 C.F.R. Part 25 - Public Participation in Programs Under the RCRA, the SDWA, and the CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation
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1 2 3 SECTIO	Current Current DN D - Public com 8/7/2007 8/20/2007 8/29/2007 0N E- Public com	C.F.R. C.F.R. Ten Lamplot, Thurston County Board of Supervisors Jodi Fenner, Assistant Attorney General, Nebraska Mitchell Parker, Chairman of Omaha Tribe of Nebraska Hal Daub, Blackwell Sanders, LLP	Pradip Dalai, Branch Chief, EPA, R7 Pradip Dalai, Branch Chief, EPA, R7 Pradip Dalai, Branch Chief, EPA, R7 Director, EPA, R7	40 C.F.R. Part 25 - Public Participation in Programs Under the RCRA, the SDWA, and the CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation Permit Availability Request for a Public Hearing Request delay until boundary dispute is resolved Response to comments from the Thurston County Board of Supervisors dated 8/7/2007 Request for resolution to Thurston County Board of Supervior's concerns and Extension of Public Comment Period
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DRAFT NPDES PERMIT NO. NE0106526 Ron Bruns Feed Yards, Eastplace Pender, Nebraska

SECTION A - Public Notice & Permit Materials 1 11/8/2007 EPA General Public Public Notice of Public Hearing and Extencomment Period 2 7/12/2007 EPA General Public Public Notice of Draft Permit Availability 3 7/12/2007 William A. Spratlin Draft NPDES Permit 4 7/12/2007 William A. Spratlin Draft Statement of Basis 5 1/27/2003 Ronald Bruns EPA Application for Permit No. NE0106526 6 Raiph Summers EPA file Aerial Photograph of Facility SECTION B- Supplemental Information & Permit-Related Correspondence 1 2/13/2007 Raiph Summers EPA File as impaired by slenium 2 11/21/2006 Matthew S. Schwarz Raiph Summers FWS Consultation E-mail Mitchell Parker, Chairman, Omaha John Askew, Regional 3 1/18/2007 Tribe of NE Administrator, EPA, R7 Letter of Support for Permit Issuance 4 5/12/2006 Bureau of Indian Affairs Omaha Reservation Boundaries	sion of Public
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5 Sep-02 U.S. Bureau of Reclamation Needs Assessment	
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ECTION D - Public comments in response to July 12th, 2007 Public Notice of Draft Permit Availability	
Teri Lamplot, Thurston County Pradip Dalal, Branch Chief, 1 8/7/2007 Board of Supervisors EPA, R7 Request for a Public Hearing	
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NPDES PERMIT NO. NE0134767 Morgan Feedlot, LLC Walthill, Nebraska

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2	7/12/2007	EPA	General Public	Public Notice of Draft Permit Availability
i	12/18/2008	William A. Spratfin		NPDES Permit
,	12/18/2008	, William A. Spratlin		Statement of Basis
j	11/26/2202	Brad Morgan	EPA :	Application for Permit No. NE0134767
		Ralph Summers	EPA file	Aerial Photograph of Facility
SECTIO	ON B- Supplemen	tal Information & Permit-Related Corresp	ondence	
	2/13/2007	Ralph Summers	EPA File	Note to file regarding Sectin 303(d) Lising of Logan Cree as impaired by slenium
2	11/21/2006	Matthew S. Schwarz	Ralph Summers	FWS Consultation E-mail
1	1/18/2007	Mitchell Parker, Chairman, Omaha Tribe of NE	John Askew, Regional Administrator, EPA, R7	Letter of Support for Permit Issuance
	5/12/2006	Bureau of Indian Affairs		Omaha Reservation Boundaries
;	Sep-02	U.S. Bureau of Reclamation		Needs Assessment
	Oct-01	Annette Kovar, Legal, NDEQ	Gale Hutton, EPA	NDEQ response that they will not pursue NPDES delegation within the exterior boundaries of the tribal reservation
· -	Current	C.F.R.		40 C.F.R. Part 25 - Public Participation in Programs Under the RCRA, SDWA, and CWA 40 C.F.R. Part 124 - Procedures for Decision Making
				Under the RCRA, SDWA, and CWA 40 C.F.R. Part 124 - Procedures for Decision Making
}	Current Current		iblic Notice of Draft Perm	Under the RCRA, SDWA, and CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation
SECTIO	Current Current	C.F.R.	Pradip Dalal, Branch Chief, EPA, R7	Under the RCRA, SDWA, and CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation Request for a Public Hearing
SECTIO	Current Current DN D - Public con	C.F.R. Teri Lamplot, Thurston County Board of	Pradip Dalal, Branch Chief, EPA, R7	Under the RCRA, SDWA, and CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation
BECTIO	Current Current DN D - Public con	C.F.R. Teri Lamplot, Thurston County Board of Supervisors Jodi Fenner, Assistant Attorney General,	Pradip Dalal, Branch Chief, EPA, R7 Pradip Dalal, Branch Chief, EPA, R7	Under the RCRA, SDWA, and CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation Request for a Public Hearing Request delay until boundary dispute is resolved
BECTIO	Current Current DN D - Public con 8/7/2007 8/20/2007	C.F.R. Teri Lamplot, Thurston County Board of Supervisors Jodi Fenner, Assistant Attorney General, Nebraska Mitchell Parker, Chairman of Omaha Tribe of	Pradip Dalal, Branch Chief, EPA, R7 Pradip Dalal, Branch Chief, EPA, R7 Pradip Dalal, Branch Chief,	Under the RCRA, SDWA, and CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation Request for a Public Hearing Request delay until boundary dispute is resolved Response to comments from the Thurston County Board
	Current Current DN D - Public con 8/7/2007 8/29/2007 8/29/2007	C.F.R. Teri Lamplot, Thurston County Board of Supervisors Jodi Fenner, Assistant Attorney General, Nebraska Mitchell Parker, Chairman of Omaha Tribe of Nebraska	Pradip Dalal, Branch Chief, EPA, R7 Pradip Dalal, Branch Chief, EPA, R7 Pradip Dalal, Branch Chief, EPA, R7 Director, EPA, R7	Under the RCRA, SDWA, and CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation Request for a Public Hearing Request delay until boundary dispute is resolved Response to comments from the Thurston County Board of Supervisors dated 8/7/2007 Request for resolution to Thurston County Board of Supervior's concerns
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SECTIO	Current Current DN D - Public con 8/7/2007 8/29/2007 8/29/2007 DN E- Public com 8/7/2007	C.F.R. Teri Lamplot, Thurston County Board of Supervisors Jodi Fenner, Assistant Attorney General, Nebraska Mitchell Parker, Chairman of Omaha Tribe of Nebraska Hal Daub, Blackwell Sanders, LLP ments in response to Public Hearing hele Teri Lamplot, Thurston County Supervisor Joel Lamplot, President, Thurston Cty Farm	Pradip Dalal, Branch Chief, EPA, R7 Pradip Dalal, Branch Chief, EPA, R7 Pradip Dalal, Branch Chief, EPA, R7 Director, EPA, R7 d December 13, 2007 and	Under the RCRA, SDWA, and CWA 40 C.F.R. Part 124 - Procedures for Decision Making Summary of the Second Circuit's Decision in the CAFO Litigation Request for a Public Hearing Request delay until boundary dispute is resolved Response to comments from the Thurston County Boar of Supervisors dated 8/7/2007 Request for resolution to Thurston County Board of Supervior's concerns