

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

In the Matter of:

City of Keene

NPDES Permit No. NH0100790

NPDES Appeal No. 21-03

**AMENDED CERTIFIED INDEX TO THE ADMINISTRATIVE RECORD**

The Certified Index to the Administrative Record (“Certified Index”) filed by Region 1 of the Environmental Protection Agency (“the Region”) on December 15, 2021 (Docket # 7) is hereby incorporated in its entirety and amended to: (1) correct one typo in item F.15, and (2) add one document that was referenced in the Response to Comments but inadvertently omitted from the Certified Index as item J.25, as described below.

**F.15**

Item F.15 was incorrectly represented in the December 15, 2021 Certified Index as “emails,” plural. The correct representation is “email,” singular.

**J.25**

The document added as item J.25 is an attachment to (and referenced in) the email listed as Item F.10. The Region is amending the Certified Index to list this attachment as a separate item.

The Certified Index is amended as follows:

**F. CORRESPONDENCE**

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15. Email from M. Ley, City of Keene, to G. Papadopoulos of EPA transmitting WET test results. November 22, 2019.

...

**J. EPA GUIDANCE, INCLUDING EPA NATIONALLY RECOMMENDED WATER QUALITY CRITERIA**

...

25. NPDES Whole Effluent Toxicity Testing, Monitoring, and Reporting, EPA Region 1, March 2007.

**CERTIFICATION**

I, Ken Moraff, Director of the Water Division, United States Environmental Protection Agency, Region 1, hereby certify that the Amended Certified Index to the Administrative Record (“Amended Index”) reflects the Administrative Record of NPDES Permit No. NH0100790, issued to the City of Keene and co-permittees. The Amended Index incorporates and identifies one edit and one addition to the Certified Index to the Administrative Record filed by the Region with the Board on December 15, 2021 (Environmental Appeals Board Docket #7).

*Dated by electronic signature*

Respectfully submitted,

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Ken Moraff  
Director, Water Division  
Environmental Protection Agency, Region 1

**CERTIFICATE OF SERVICE**

I hereby certify that on the date indicated below a copy of the foregoing Amended Certified Index to the Administrative Record, in connection with *In re City of Keene*, NPDES Appeal No. 21-03, was sent to the following persons in the manner indicated:

By electronic filing:

Mr. Emilio Cortes  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
U.S. EPA East Building, Room 3332  
Washington, DC 20004

By email, as authorized by the Board's standing order dated Sept. 21, 2020:

*Attorneys for Keene*

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*Dated by electronic signature*

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Kristen Scherb, Esq.  
U.S. Environmental Protection Agency  
Office of Regional Counsel, Region 1