

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENTAL APPEALS BOARD

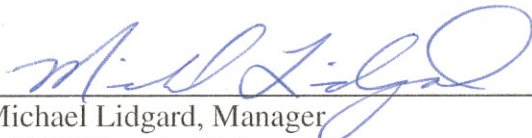
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In the Matter of:))
CITY OF HOMEDALE))
WASTEWATER TREATMENT PLANT))
NPDES Permit No. ID-002042-7))

Appeal No. NPDES 13-10

**CERTIFICATION OF INDEX TO
ADMINISTRATIVE RECORD AND
ADMINISTRATIVE RECORD INDEX**

I, Michael Lidgard, am the Manager of the National Pollutant Discharge Elimination System (“NPDES”) Permits Unit, Office of Water and Watersheds, U.S. Environmental Protection Agency Region 10 (“Region 10”). I hereby certify that to the best of my knowledge and belief, the materials identified in the attached Index to EPA Region 10 Administrative Record constitute the complete Region 10 administrative record for purposes of judicial review of the NPDES permit issued by EPA on August 28, 2013 to the City of Homedale, NPDES Permit No. ID-002042-7.

DATED: December 6, 2013



Michael Lidgard, Manager
NPDES Permits Unit
Office of Water and Watersheds
U.S. Environmental Protection Agency Region 10
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Seattle, WA 98101
(206) 553-1755

CERTIFICATION AND INDEX TO
THE ADMINISTRATIVE RECORD - 1

**U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101
(206) 553-1037**

Before the Environmental Appeals Board
Appeal No. NPDES 13-10
City of Homedale Wastewater Treatment Plant
Index to EPA Region 10 Administrative Record

EPA Record Exhibit	Date	Document Description
I. NPDES Permit Application & Pre-Draft Documents		
1	12/18/03	Consolidated Fact Sheet for City of Homedale WWTP NPDES Permit
2	2/27/04	City of Homedale WWTP NPDES Permit No. ID0020427, effective 5/1/04, expired 4/30/09
3	10/31/08 (rcvd 7/19/10)	Application for NPDES Permit Renewal for the City of Homedale WWTP
4	10/5/10	Letter from Michael Lidgard, NPDES Permits Unit Manager, EPA to Larry Bauer, City of Homedale, re: Renewal of NPDES Permit ID0020427
II. Draft NPDES Permit & Associated Documents		
5	2/14/13	Letter from Michael Lidgard, NPDES Permits Unit Manager, EPA to Larry Bauer, City of Homedale, re: City of Homedale, NPDES Permit No. ID0020427 Att 1: Draft NPDES Permit for City of Homedale WWTP, ID0020427 Att 2: Fact Sheet for NPDES Permit for City of Homedale WWTP Att 3: Public Notice of Comment Period for Proposed Reissuance of NPDES Permit for City of Homedale WWTP
6	2/19/13	Affidavit of Publication
7	2/26/13	Letter from Michael Lidgard, NPDES Permits Unit Manager, EPA to Larry Bauer, City of Homedale, re: City of Homedale, NPDES Permit No. ID0020427, correcting total phosphorus limits to seasonal limits Att 1: Draft NPDES Permit for City of Homedale WWTP, ID0020427 Att 2: Fact Sheet for NPDES Permit for City of Homedale WWTP Att 3: Public Notice of Comment Period for Proposed Reissuance of NPDES Permit for City of Homedale WWTP

EPA Record Exhibit	Date	Document Description
8	2/26/13	<p>Letter from Michael Lidgard, NPDES Permits Unit Manager, EPA to Pete Wagner, IDEQ, re: City of Homedale, NPDES Permit No. ID0020427.</p> <p>Att 1: Draft NPDES Permit for City of Homedale WWTP, ID0020427</p> <p>Att 2: Fact Sheet for NPDES Permit for City of Homedale WWTP</p> <p>Att 3: Public Notice of Comment Period for Proposed Reissuance of NPDES Permit for City of Homedale WWTP</p>
9	3/1/13	Draft NPDES Permit for City of Homedale WWTP, NPDES Permit No. ID0020427
10	3/1/13	Fact Sheet for NPDES Permit for City of Homedale WWTP, NPDES Permit No. ID0020427
11	3/1/13	Public Notice of Comment Period for Proposed Reissuance of NPDES Permit and draft 401 Certification for City of Homedale WWTP
12	3/1/13	Affidavit of Publication
III. CWA Section 401 Certification Documents		
13	1/8/13	Letter from Michael Lidgard, NPDES Permits Unit Manager, EPA to Pete Wagner, IDEQ re: Request for draft 401 Certification for City of Homedale WWTP
14	2/8/13	<p>Letter from Pete Wagner, IDEQ, to Michael Lidgard, NPDES Permits Unit Manager, EPA, re: Final [Draft] 401 Certification for City of Homedale WWTP, NPDES Permit No. ID0020427</p> <p>Att: IDEQ Draft §401 Water Quality Certification</p>
15	4/10/13	<p>Letter from Michael Lidgard, NPDES Permits Unit Manager, EPA, to Pete Wagner, IDEQ, re: Request for Final 401 Certification for City of Homedale WWTP</p> <p>Att 1: Proposed Final NPDES Permit for City of Homedale WWTP, NPDES Permit No. ID0020427</p> <p>Att 2: Response to Comments, City of Homedale WWTP, NPDES Permit No. ID0020427</p>
16	5/8/13	<p>Letter from Pete Wagner, IDEQ, to Michael Lidgard, NPDES Permits Unit Manager, EPA, re: Final 401 Certification for City of Homedale WWTP, NPDES Permit No. ID0020427</p> <p>Att: IDEQ Final §401 Water Quality Certification</p>

EPA Record Exhibit	Date	Document Description
17	5/16/13	Email from Lauri Monnot, IDEQ, to John Drabek, EPA, re: City of Homedale Final 401 Certification, confirming monthly and weekly total phosphorus limits are correct Att 1: IDEQ response to ICL comments Att 2: EPA spreadsheet for calculating monthly and weekly mass limits
IV. Technical Support Documents		
18		Idaho Water Quality Standards, IDAPA 58.01.02
19	1973	USEPA, Water Quality Criteria 1972, EPA R3-73-033
20	3/91	USEPA, Technical Support Document for Water Quality-based Toxics Control, EPA/5052-90-001
21	4/03	IDEQ, Mid Snake River/Succor Creek Subbasin Assessment and Total Maximum Daily Load (TMDL)
22	7/03 (revised 6/04)	IDEQ, Snake River-Hells Canyon TMDL
23	12/03	Biological Evaluation for Issuance of a NPDES Permit for City of Marsing WWTP
24	1/5/04	Letter from Randall Smith, EPA, to Toni Hardesty, IDEQ, re: Approval of TMDLs for Mid Snake River/Succor Creek
25	1/21/09	Email from NOAA Fisheries to EPA re: no threatened or endangered species in Snake River drainage upstream of the Hell's Canyon Dam
26	9/10	USEPA, NPDES Permit Writer's Manual, EPA-833-K-10-001
27	8/11	IDEQ, Idaho's 2010 Integrated Report
28	9/11	IDEQ, Mid Snake River/Succor Creek Subbasin: Five-Year Review of 2003 and 2007 TMDLs
29	5/4/12	USFWS website re endangered species
30	4/9/13	Memo from John Drabek, NPDES Permit Writer, EPA to File re: Round Up for Total Phosphorus
31	5/16/13	Memo from John Drabek, NPDES Permit Writer, EPA to File re: Expression of Total Phosphorus (Memo 1)
32	5/20/13	Memo from John Drabek, NPDES Permit Writer, EPA to File re: Expression of Total Phosphorus (Memo 2)
33	5/21/13	Analysis demonstrating a daily maximum limit is not achievable by Homedale WWTP and added treatment would be required contrary to the TMDL wasteload allocation
V. Public Comments		
34	3/14/13	Letter from Justin Hayes, Program Director, ICL, to John Drabek, NPDES Permit Writer, EPA, and Lauri Monnot, IDEQ re: ICL's comments on the Draft NPDES Permit and Draft 401 Certification

EPA Record Exhibit	Date	Document Description
		for the City of Homedale WWTP, Permit No. ID0020427
VI. Final Permit Documents		
35	7/14/13	Response to Comments, City of Homedale WWTP, NPDES Permit ID0020427
36	8/20/13	Letter from Daniel Opalski, Director, Office of Water and Watersheds, EPA Region 10, to Larry Bauer, City of Homedale, re: City of Homedale WWTP, NPDES Permit No. ID0020427 Att 1: Final NPDES Permit for City of Homedale WWTP Att 2: Response to Comments, City of Homedale WWTP
37	8/28/13	Final NPDES Permit for City of Homedale WWTP
38	8/29/13	Letter from John Drabek, NPDES Permit Writer, EPA, to Larry Bauer, City of Homedale, re: City of Homedale WWTP, NPDES Permit No. ID0020427, signed Aug. 28, 2013 Att 1: Final NPDES Permit for City of Homedale WWTP

ACRONYMS

EPA or USEPA: U.S. Environmental Protection Agency
ICL: Idaho Conservation league
IDEQ: Idaho Department of Environmental Quality
NPDES: National Pollutant Discharge Elimination System
TMDL: Total Maximum Daily Load
WLA: Waste Load Allocation
WWTP: Wastewater Treatment Plant

CERTIFICATE OF SERVICE

I certify that the foregoing "Certification of Index to Administrative Record and Administrative Record Index" was sent to the following persons, in the manner specified, on the date below:

By electronic filing to:

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1200 Pennsylvania Avenue, NW
Mail Code 1103M
Washington, DC 20460-0001

By electronic and U.S. Mail to:

Justin Hayes
Program Director
Idaho Conservation League
PO Box 844
Boise, Idaho 83701
Email: jhayes@idahoconservation.org

DATED: December 6, 2013



Courtney Weber
Assistant Regional Counsel
U.S. EPA, Region 10