

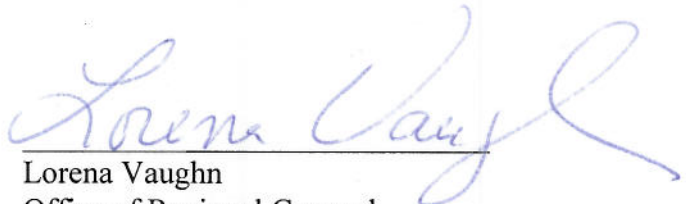
BEFORE THE ENVIRONMENTAL APPEALS BOARD
U.S. ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

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In the Matter of:))
) NPDES Appeal No. 09-09
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San Jacinto River Authority))
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Permit No. TX0054186))
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CERTIFICATION OF INDEX TO THE ADMINISTRATIVE RECORD

I, Lorena Vaughn, hereby certify that the attached document entitled "Index of the Administrative Record" constitutes the index of the administrative record for the NPDES permit appeal proceedings in the above referenced matter.

Dated this 2nd day of December, 2009



Lorena Vaughn
Office of Regional Counsel
EPA Region 6

**CERTIFIED INDEX OF THE ADMINISTRATIVE RECORD FOR
NPDES PERMIT NO. TX0054186 (SAN JACINTO RIVER AUTHORITY)**

1. Letter to Dan Eden, Deputy Director, Texas Commission on Environmental Quality, Dated January 6, 2006, regarding Specific Objection to Issuance of NPDES Permit No. TX0054186/TPDES 11401-001, Permittee: San Jacinto River Authority, From: Miguel I. Flores, Director, Water Quality Protection Division, EPA.
2. Letter to Dan Eden, Deputy Director, Texas Commission on Environmental Quality, Dated March 9, 2006, regarding TPDES Permit No. TX0054186 Texas State Permit No. 11401-001 San Jacinto River Authority, the Woodlands, Texas, From: Miguel I. Flores, Director, Water Quality Protection Division, EPA.
3. 2nd copy of a Letter to Dan Eden, Deputy Director, Texas Commission on Environmental Quality, dated January 6, 2006, regarding Specific Objection to Issuance of NPDES Permit No. TX0054186/TPDES 11401-001, Permittee: San Jacinto River Authority, From: Miguel I. Flores, Director, Water Quality Protection Division, EPA.
4. 2nd copy of a Letter to Dan Eden, Deputy Director, Texas Commission on Environmental Quality, Dated March 9, 2006, regarding TPDES Permit No. TX0054186, Texas Permit No. 11401-001 San Jacinto River Authority, the Woodlands, Texas, From: Miguel I. Flores, Director, Water Quality Protection Division, EPA.
5. Letter to Donald R. Sarich, Division Manager, San Jacinto River Authority, dated April 13, 2006, regarding San Jacinto River Authority, Woodlands POTW No. NPDES Permit No. TX0054186 - 308 Information Request for Permit Application, Effluent Characterization, and Whole Effluent Toxicity Test Information, From: Claudia V. Hosch, Chief, NPDES Permit Branch.
6. Letter to Claudia V. Hosch, Chief, NPDES Permit Branch, U.S. EPA, dated June 1, 2006, regarding, San Jacinto River Authority NPDES Permit No. TX0054186 308 Information Request, From: Donald R. Sarich, P.E. Division Manager - The Woodlands.
7. From United States Environmental Protection Agency, To: Larry Gigilo, dated June 7, 2006 NPDES Number: TX0054186 - The Woodlands Wastewater Treatment Plant No. 1, regarding Expiring Permit, From: Dorothy Brown.
8. Houston Community Newspaper, regarding Public Notice of Comment Period Extension, dated January 11, 2007, contact Ms. Diane Smith, U.S. EPA.
9. Letter to Dan Eden, Deputy Director, Texas Commission on Environmental Quality (TCEQ), dated November 29, 2006, regarding List of draft National Pollutant Discharge Elimination System (NPDES) permits EPA is sending to Public Notice on December 7, 2006, From: Miguel I. Flores, Director, Water Quality Protection Division, EPA.

10. Letter to Donald R. Sarich, Division Manager, San Jacinto River Authority, dated December 7, 2006, regarding Application to Discharge to Waters of the United States Permit No. TX0054186 San Jacinto River Authority, Woodlands POTW No. 1, From: Claudia V. Hosch, Chief, NPDES Permit Branch, U.S. EPA.
11. U.S. EPA - Region 6 Public Notice of Comment Period Extension, regarding U.S. EPA has extended the comment period until February 20, 2007.
12. Letter to Dan Eden, Deputy Director, Texas Commission on Environmental Quality, regarding A list of draft National Pollutant Discharge Elimination System (NPDES) permits EPA is sending to Public Notice on December 7, 2006, From: Miguel I. Flores, Director, Water Quality Protection Division, EPA.
13. (Fax) Letter to Diane Smith, EPA, dated December 18, 2006, regarding Request for Extension of Time to File Public Comment, Application to Discharge to Waters of the United States Permit No. TX0054186; San Jacinto River Authority Woodlands Wastewater Treatment Plant No. 1, From: Lauren Kalisek, Attorney representing San Jacinto River Authority, Lloyd Gosselink, Attorneys at Law.
14. Letter to Richard Greene, Regional Administrator, U.S. EPA, dated December 19, 2006, regarding Request for Extension of Time to File Public Comment Application to Discharge to Waters of the United States Permit No. TX0054186; San Jacinto River Authority Woodlands Wastewater Treatment Plant No. 1, From: Lauren Kalisek, Attorney representing San Jacinto River Authority, Lloyd Gosselink, Attorneys at Law.
15. Letter to Ms. Lauren Kalisek, Lloyd Gosselink/Attorneys at Law, dated January 4, 2007, regarding NPDES Permit No. TX0054186 - San Jacinto River Authority, From: Miguel I. Flores, Director, U.S. EPA, Water Quality Protection Division.
16. Letter to Ms. Lauren Kalisek, Lloyd Gosselink/Attorneys at Law, dated January 4, 2007, regarding NPDES Permit No. TX0054186 - San Jacinto River Authority, From: Miguel I. Flores, Director, U.S. EPA, Water Quality Protection Division.
17. Letter to L'Oreal Stepney, P.E., Director, Texas Commission on Environmental Quality, dated February 6, 2007, regarding EPA granting the extension due date of the 401 Certification, From: Miguel I. Flores, Director, U.S. EPA, Water Quality Protection Division.
18. Copy - Authorization to Discharge under the National Pollutant Discharge Elimination System, dated September 1st, 1989, regarding The permit will expire at midnight on October 1, 1994.
19. Document - TPDES Permit No. 11401-001, This is a renewal that replaces TNRCC Permit No. 11401-001 issued December 29, 1995 and NPDES Permit No. TX0054186 issued September 1, 1989, TCEQ Docket No. 2003-1213-MWD, dated January 17, 2006,

regarding Permit to Dispose of Wastes under provisions of Section 402 of the Clean Water Act and Chapter 26 of the Texas Water Code, From: Kathleen White, Texas Commission on Environmental Quality.

20. Document - Authorization to Discharge Under the National Pollutant Discharge Elimination System - NPDES Permit No. TX0054186, From: Miguel I. Flores, Director, U.S. EPA, Water Quality Protection Division (unsigned) and Laurence E. Giglio, Environmental Engineer, Permits & Technical Section (signed), not dated.
21. Letter to Diane Smith, U.S. EPA, Planning and Analysis Branch, dated February 19, 2006, regarding San Jacinto River Authority's Comments to Regarding Draft TPDES Permit No. TX0054186; Application to Discharge to Waters of the United States Permit No. TX0054186; San Jacinto River Authority Woodlands Wastewater Treatment Plant No. 1, From: Lauren Kalisek, Attorney representing San Jacinto River Authority, Lloyd Gosselink.
22. Letter to Miguel Flores, Director, Water Quality Protection Division, dated March 1, 2007, regarding Draft NPDES Permit TX0054186, San Jacinto River Authority TCEQ waives state certification of the Proposal EPA permit, From: L'Oreal Stepney, Water Quality Division, Texas Commission on Environmental Quality.
23. Letter to Donald R. Sarich, Division Manager, San Jacinto River Authority (SJRA), dated March 12, 2007, regarding Request for Public Hearing and Extension of Public Comment Period, San Jacinto River Authority (SJRA), Woodlands Wastewater Treatment Plant No. 1, TX0054186, From: Claudia V. Hosch, Chief, NPDES Permits Branch, U.S. EPA, Water Quality Protection Division.
24. Letter to Donald R. Sarich, P.E., Woodlands Division Manager, San Jacinto River Authority, dated September 23, 1997, regarding Administrative Order Docket No. VI-97-0134, NPDES Permit No. TX0054186, From: Samuel Coleman, P.E., Director, Compliance Assurance and Enforcement Division.
25. Letter to Donald R. Sarich, Director Manager, dated June 9, 2000, regarding the public notice published May 13, 2000, withdrawing your National Pollutant Discharge Elimination System permit, From: Robyn Moore-Johnson, Assistant Regional Counsel, U.S. EPA, Office of Regional Counsel.
26. Letter to L'Oreal Stepney, Manager, Texas Natural Resources Conservation Commission, dated May 2, 2001, regarding Withdrawal of Comments to Preliminary Draft Permits, From: Jack V. Ferguson, P.E., Chief, Permits Branch, U.S. EPA, Water Quality Division.
27. Document - Texas Commission on Environmental Quality, Notice of Hearing San Jacinto River Authority, Permit No. 11401-001, dated November 19, 2003, signed by LaDonna Castanuela, Chief Clerk, Texas Natural Resource Conservation Commission.

28. Document - Authorization to Discharge under the National Pollutant Discharge Elimination System, Permit No. TX0054186, Permit is effective September 21, 1993, and will expire on October 1, 1994, prepared by Laura Stankosky, Municipal Permit Section, U.S. EPA, signed by Myron O. Knudson, P.E., Director, U.S. EPA, Water Management Division, dated August 20, 1993.
29. Letter to the Regional Administrator, U.S. EPA, dated March 17, 1994, regarding San Jacinto River Authority Woodlands Wastewater Treatment Plant No. 1, NPDES Permit No. TX 0054186, Application to Renew Permit to Discharge Wastewater, From: James R. Adams, P.E., General Manager, San Jacinto River Authority.
30. Letter to L'Oreal Stepney, Manager, Wastewater Permits Section, Texas Natural Resources Conservation Commission, dated March 21, 2001, regarding Comments w/Suggestions Draft Proposed Permit TPDES Permit No. TX0054186 Texas State Permit No. 11401-001 San Antonio River Authority, The Woodlands, Texas 77380, From: Jack V. Ferguson, P.E., Chief, Permits Branch, U.S. EPA.
31. Letter to Chris Linendoll, Manager, Wastewater Permitting Section, Texas Commission on Environmental Quality, dated November 21, 2005, regarding TPDES Permit No. TX0054186 Texas State Permit No. 11401-001 San Jacinto River Authority, The Woodlands, Texas, From: Claudia V. Hosch, Chief, NPDES Permits Branch, U.S. EPA.
32. Document - Spectrum Chemical Fact Sheet - Cas # 124481, dated 9/20/06.
33. Document - Spectrum Chemical Fact Sheet - Cas # 67663, dated 9/20/06.
34. Document - Copy of a map and a 2004 Texas 303(d) List, page 26.
35. Document - San Jacinto River Authority - Permit to Dispose of Wastes from the Texas Commission of Environmental Quality, TPDES Permit No. 11401-001, TCEQ Docket No. 2003-1213-MWD, Signed: Kathleen White for the Commission, Issued Date: January 17, 2006, Permit Expiration is at midnight, March 1, 2008. Written on it, it says "This is the Permit EPA Objected To".
36. Letter with attachments to Claudia V. Hosch, Chief, U.S. EPA, regarding San Jacinto River Authority NPDES Permit No. TX0054186, 308 Information Request, dated June 1, 2006, From: Donald R. Sarich, P.E., Division Manager - The Woodlands.
37. Email to Tojuana Cooper, regarding Additional Information required, dated September 18, 2006, From: Larry Giglio, U.S. EPA.
38. Email to Tojuana Cooper, regarding Pollutant testing needed, dated September 21, 2006, From: Larry Giglio, U.S. EPA.

39. Email to Tojuana, regarding previous e-mail, dated September 20, 2006, From: Larry Giglio, U.S. EPA.
40. Document - Larry Giglio, U.S. EPA, dated October 23, 2006, regarding Permit Application for TX0054186 - Additional Data, From: Tojuana Cooper, Deputy Division Manager San Jacinto River Authority.
41. E-mail to Tojuana, regarding WQS screening, retests recommended, dated September 20, 2006, From: Larry Giglio, U.S. EPA.
42. Email to Tojuana, regarding Additional Information, dated September 19, 2006, From: Larry Giglio, U.S. EPA.
43. Document - Texas WQMP Updates by Texas Permit # Master List, dated December 19, 2006.
44. Interoffice Memorandum Texas Natural Resource Conservation Commission to Municipal Permits Wastewater Permitting Section Water Permits & Resource Management Division, dated October 5, 2000, regarding San Jacinto River Authority - Woodlands No. 1 Wastewater Permit Renewal (11401)-001 Discharge to tributary of Spring Creek (Segment 1008), From: Charles Marshall, WQ Assessment Team, Water Quality Assessment Section.
45. Date Pollutant chart with several dates listed.
46. Interoffice Memorandum Texas Natural Resource Conservation Commission to Firoj Vahora, Team Leader Municipal Team, Wastewater Permits team, dated November 11, 2000, regarding Applicant San Jacinto River Authority, Plant Name Woodlands WWTP No. 1 TPDES /TNRCC Permit No. 11401-001, NPDES Permit No: TX0054186, From: Zdenek Matl, Municipal Permits Team.
47. Email to Larry Giglio, regarding SJRA Woodlands No. 1 (Permit N. 11401-001) TCEQ modeling results, dated March 1, 2007 from James E. Michalk.
48. Document - TexTox Menu #3 - Perennial Stream or River, dated May 1, 2007.
49. Email to Larry Giglio, regarding #11401-001 (San Jacinto River Authority) dated May 23, 2007, from Kenda Smith, TCEQ.
50. TexTox Menu # 3 - Perennial Stream or River, dated February 28, 2007.
51. TexTox Menu #3 - Perennial Stream or River, dated May 15, 2007.

52. Authorization to Discharge Under the National Pollutant Discharge Elimination System, NPDES Permit No. TX0054186, signed by Laurence E. Giglio, not signed by Miguel I. Flores, Director.
53. Authorization to Discharge Under the National Pollutant Discharge Elimination System, NPDES Permit No. TX0054186, issued on September 28, 2007, prepared by Miguel I. Flores, Director and Laurence E. Giglio, Environmental Engineer, U.S. EPA.
54. Authorization to Discharge Under the National Pollutant Discharge Elimination System, NPDES Permit No. TX0054186, issued on July 24, 2009, prepared by Bill Luthans, Acting Director, Water Quality Protection Division and Laurence E. Giglio, Environmental Engineer, Permits & Technical Section, U.S. EPA.
55. Emails to Michael Pfeil, TCEQ, dated October 30, 2008, regarding Critical dilution for SJRA, From: Phillip Jennings, U.S. EPA.
56. Email to Larry Giglio, U.S. EPA, dated September 19, 2006, regarding SJRA, From: Kenda Smith, TCEQ.
57. Interoffice Memorandum to Municipal Permits Team, Wastewater Permitting Section, dated March 5, 2008, regarding San Jacinto River Authority; Wastewater Permit No. 11401-001/TX0054186 (renewal) Discharge to tributaries of Spring Creek, Segment 1008 of the San Jacinto River Basin, From James E. Michalk, Water Quality Assessment Team, Water Quality Assessment Section.
58. Letter to Jim Michalk, Water Quality Assessment Team, Texas Commission on Environmental Quality, dated March 4, 2008, regarding San Jacinto River Authority, Application for Texas Pollutant Discharge Elimination System Permit No. WQ0011401001 (EPA ID No. TX0054186), From: Janet Sims, Project Manager, Alan Plummer Associates, Inc.
59. Document - (Proposed Permit) Authorization to Discharge Under the National Pollutant Discharge Elimination System, NPDES Permit No. TX0054186, dated Jan. 29, 2009, modification to the previously issued permit September 28, 2007, issued by Miguel I. Flores, U.S. EPA and prepared by Laurence E. Giglio, Environmental Engineer, U.S. EPA.
60. Fact Sheet - NPDES Permit No. TX0054186, Applicant - San Jacinto River Authority, Prepared by Laurence E. Giglio, U.S. EPA, date January 20, 2009.
61. Document - U.S. Environmental Protection Agency Public Notice of Draft NPDES Permit(s), dated January 29, 2009.
62. Letter to Donald R. Sarich, Division Manager, San Jacinto River Authority, dated January 30, 2009, regarding Application to Discharge to Waters of the United States Permit No.

TX0054186 San Jacinto River Authority, Woodlands POTW No.1, From: Claudia V. Hosch, Branch Chief, NPDES Permits Branch, U.S. EPA.

63. Letter to L'Oreal Stepney, P.E., Texas Commission on Environmental Quality, dated January 29, 2009, regarding a list of NPDES permits EPA is sending to Public Notice on January 29, 2009, From: Miguel I. Flores, Director, Water Quality Protection Division.
64. Letter to Miguel I. Flores, Director, Water Quality Protection Division, dated March 9, 2009, regarding Draft NPDES Permit TX0054186, San Jacinto River Authority, From: L'Oreal W. Stepney, P.E. Division, Texas Commission on Environmental Quality.
65. Letter with Attachments - Donald R. Sarich, Division Manager, San Jacinto River Authority, dated September 28, 2007, regarding Application to Discharge to Waters of the United States Permit No. TX0054186 San Jacinto River Authority, Woodlands POTW No. 1, From: Miguel I. Flores, Director, Water Quality Protection Division, U.S. EPA.
66. Letter with Attachments - Donald R. Sarich, Division Manager, San Jacinto River Authority, dated July 24, 2009, regarding Application to Discharge to Waters of the United States Permit No. TX0054186 San Jacinto River Authority, Woodlands POTW No. 1, From: Bill Luthans, Acting Director, Water Quality Protection Division, U.S. EPA.
67. Document - Major - Sewage Sludge Requirements, Instruction to Permittees.
68. Draft - Permit No. TX0054186, Response to Comments (SJRA), EPA Region 6 Response to Comments on San Jacinto River Authority Draft NPDES Permit No. TX0054186 Woodlands Wastewater Treatment Plant No. 1, September 28, 2007.
69. Document - San Jacinto River Authority, NPDES Permit No. TX0054186, NPDES Appeal No. 07-19, United States Environmental Protection Agency Region 6 Notification of Withdrawal of Portions of NPDES Permit, dated March 13, 2008, signed by Miguel I. Flores, Director, Water Quality Protection Division, U.S. EPA.
70. Document - San Jacinto River Authority NPDES Permit No. TX0054186, NPDES Appeal No. 07-19, Filed March 28, 2008, regarding Order Dismissing Petition Review, signed by Anna Wolgast, Environmental Appeals Judge.
71. Document - Town of Ashland Wastewater Treatment Facility, in re: Town of Ashland Wastewater Treatment Facility, NPDES Appeal No. 00-15, Order Denying Petition for Review, decided February 23, 2001, before Environmental Appeals Judges Scott C. Fulton, Ronald L. McCallum, and Edward E. Reich.
72. Letter with Attachments - U.S. EPA, Clerk of the Board, Environmental Appeals Board, dated October 26, 2007, regarding San Jacinto River Authority; NPDES Permit No.

- TX0054186, From: Lauren Kalisek, Lloyd Gosselink, Attorneys at Law.
73. Letter to Governor George Bush, regarding State of Texas' Assumption of NPDES Program Authority, dated September 14, 1998, From: Gregg A. Cooke, Regional Administrator.
 74. Reference Document - Clean Water Act (CWA): §§301(b)(1), 308(a), 309 and 402 (b)(2).
 75. Reference Document - Title 40 of the Code of Federal Regulations: §§ 122.44, 124.19(d), 125, 133, and 136.
 76. Reference Document - Federal Register (54 Fed. Reg. 23868, 23878 - June 2, 1989) preamble supporting the federal regulation at 40 CFR § 122.44.
 77. Reference Document - Texas Surface Water Quality Standards, 30 TAC §§ 307.1 - 307.10 (21 Tex. Reg. 9765, August 17, 2000), including specifically 30 TAC § 307.6(e)(2)(D).
 78. Reference Document - "Procedures to Implement the Texas Surface Water Quality Standards", January 2003, RG-194 (Revised).
 79. Reference Document - "Technical Support Document for Water Quality-based Toxics Control" (TSD), EPA/505/2-09-010, 2nd printing, March 1991.
 80. Reference Document - "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms", EPA-821-R-02-013, at (4th ed. Oct. 2002).
 81. Reference Document - "Understanding and Accounting for Method Variability in Whole Effluent Toxicity Applications Under the National Pollutant Discharge Elimination System", EPA 833-R-00-003, June 2000.
 82. Reference Document - "Method Guidance and Recommendations for Whole Effluent Toxicity (WET) Testing (40 CFR Part 136)", EPA 821-B-00-004, July 2000.
 83. Reference Document - "Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I", EPA-600/6-91/005F.
 84. Reference Document - "Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures", EPA-600/6-91/003.
 85. Reference Document - "Methods for Aquatic Toxicity Identification Evaluations, Phase II" Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity", EPA/600/R-92/080.
 86. Reference Document - "Methods for Aquatic Toxicity Identification Evaluations, Phase

III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity”, EPA/600/R-92/081.

87. Reference Document - “Final Report: Interlaboratory Variability Study of EPA Short-term Chronic and Acute Whole Effluent Toxicity Test Methods, Vol. 1.”, EPA 821-B-01-004.
88. Reference Document - EPA Region 6 Whole Effluent Toxicity Permitting Strategy, May 2005.
89. Reference Document - Texas Water Quality Management Plan.
90. Reference Document - Memorandum of Agreement between Texas Natural Resource Conservation Commission (now TCEQ) and EPA dated September 14, 1998.
91. Reference Document - EPA NPDES Permitting Enforcement policy memo dated August 14, 1995.
92. Reference Document - EPA NPDES Permit Application received June 8, 2006.
93. Reference Document - Draft NPDES Permit TX0054186, proposed December 7, 2006.
94. Reference Document - SJRA’s February 19, 2007 comments on EPA’s draft permit.
95. Reference Document - EPA response to comments, September 28, 2007.
96. Reference Document - Final EPA permit, issued September 28, 2007.
97. Reference Document - SJRA permit challenge filed with EAB on October 26, 2007.
98. Reference Document - Letter dated March 6, 2008 from the Texas Commission on Environmental Quality (TCEQ) notifying EPA that the TCEQ information used by EPA to determine critical dilution in the permit was incorrect.
99. Reference Document - EPA notice to EAB filed March 14, 2008 that EPA was withdrawing the contested provisions of its permit.
100. Reference Document - March 28, 2008, EAB order dismissing SJRA’s petition with prejudice.
101. Reference Document - “Accounting for Toxicity Test Variability in Evaluating WET Test Results”, Water Environmental Research Foundation, Document No. 00-ECO-1.2006.
102. Reference Document - Memorandum from Jerry G. Miller, Deputy Administrative Administrator for Water Enforcement, EPA Headquarters, to Regional Permit Branch

Chiefs, February 14, 1977, "Fecal Coliform Bacteria Limits."

103. Reference Document - E-Mail from Kenda Smith, TCEQ WQAS, March 6, 2008, to Larry Giglio, EPA, providing corrected critical stream flow conditions.
104. Reference Document - "Whole Effluent Toxicity Testing: An Evaluation of Methods and Prediction of Receiving System Impacts", SETAC Press, Society of Environmental Toxicology and Chemistry, 1998, 340 pages.
105. Reference Document - "Toxicity Reduction Evaluations and Toxicity Identification Evaluations for Effluents, Ambient Waters, and Other Aqueous Media", SETAC Press, Society of Environmental Toxicology and Chemistry, 2005, 455 pages.
106. Response to Comments - "Toxicity of copper, lead, and zinc mixtures to *Ceriodaphnia dubia* and *Daphnia carinata*", Naomi L. Cooper, Joseph R. Bidwell and Anu Kumar, *Ecotoxicology and Environmental Safety* 72 (2009) 1523-1528.
107. Response to Comments - Letter dated 03/10/09, EPA (Flores) to TCEQ (Eden) transmitting EPA comments on proposed revisions to the Texas Water Quality Standards Implementation Procedures.
108. Response to Comments - Letter dated 08/11/08, EPA (Flores) to TCEQ (Eden) transmitting EPA concerns with TCEQ's lack of progress on required revisions to its water quality standards implementation procedures.
109. Response to Comments - Letter dated 05/16/07, EPA (Flores) to TCEQ (Eden) transmitting EPA Headquarters (Hanlon) memo to EPA Region 6 (Flores) and EPA Region 6 concerns with TCEQ's lack of progress on required revisions to its water quality standards implementation procedures for whole effluent toxicity permitting requirements.
110. Response to Comments - Letter dated 04/03/07, EPA Headquarters (Hanlon) to EPA Region 6 (Flores) transmitting concerns with Region 6's lack of progress with required revisions to its States' water quality standards implementation procedures for whole effluent toxicity permitting requirements in permits issued under NPDES.
111. Response to Comments - Letter dated 03/09/06, EPA (Watson) to TCEQ (Stepney) transmitting EPA issues of concern, including the development of permit requirements for whole effluent toxicity, that EPA would like to see addressed in the upcoming TCEQ water quality standards implementation procedures.
112. Response to Comments - Letter dated 03/09/06, EPA (Flores) to TCEQ (Stepney) requesting an update on TCEQ's progress towards development of implementation procedures and permit requirements that fully support the Texas water quality standards with regard to protection of aquatic life. Attached copy of the May 2005 EPA Region 6

WET Permitting Strategy.

113. Response to Comments - Agenda and sign-up sheets from EPA's January 19-20, 2006 WET training short course offered to Region 6 States and regulated community to help understand the required permitting changes. SJRA and its consultants attended this training.
114. Response to Comments - Letter dated 05/05/05, EPA (Flores) to Region 6 States (Devine, et al) regarding their participation in WET program revision planning meeting and offering EPA assistance in developing those revisions.
115. Response to Comments - Letter dated 03/18/05, EPA (Hill) to Region 6 States (Parrott, et al) inviting their participation in a WET program technical revision planning meeting on April 6, 2006 including copies of the meeting agenda and sign-up sheet.
116. Response to Comments - Letter dated 02/24/05, EPA (Flores) to Region 6 States (Stepney, et al) advising that Region 6 had been directed to work with its States to make specific revisions to the Region 6 and State permitting practices for WET to ensure full compliance with Federal regulations and State water quality standards.
117. Response to Comments - August 14, 1995 Memorandum from EPA Headquarters to EPA Regions I-X and States transmitting EPA's policy on violations of WET limits.
118. Response to Comments - June, 1991 Memorandum from EPA Headquarters to EPA Regions I-X transmitting EPA's policy on independent applicability with respect to NPDES permit limits for chemicals, whole effluent toxicity and biological criteria.
119. Response to Comments - Letter dated 11/29/07, EPA Region 4 (Giattina) to Bureau of Water, South Carolina Department of Health and Environmental Control (Wilson) transmitting EPA's decision and analysis regarding the South Carolina Percent Effect Approach to WET data analysis.
120. Letter to Donald R. Sarich, Division Manager, San Jacinto River Authority, dated July 24, 2009, regarding Application to Discharge to Waters of the United States Permit No. TX0054186 San Jacinto River Authority, Woodlands POTW No.1, From: Bill Luthans, Acting Director, Water Quality Protection Division, EPA.
121. NPDES Permit No. TX0054186 Response to Comments, Applicant - San Jacinto River Authority, Issued Office - U.S. Environmental Protection Agency, Prepared by - Laurence E. Giglio, Environmental Engineer, Permit Action - Final Permit modification decision and response to comments received on the draft reissued NPDES permit publicly noticed on January 29, 2009, Date Prepared - April 16, 2009.
122. Letter from Donald R. Sarich, Division Manager, San Jacinto River Authority, dated November 4, 2008, transmitting SJRA's Sublethal Toxicity Evaluation.

123. San Jacinto River Authority Sublethal Toxicity Evaluation The Woodlands Wastewater treatment Plant No. 1, submitted to the U.S. Environmental Protection Agency, November 2008.
124. Email to Larry Giglio, regarding Woodlands WWTP No. 1 Permit Application – Response to Question, dated September 8, 2006, from Tojuana Cooper.
125. Email to Larry Giglio, regarding #11401-001 clarification, dated March 6, 2008, from Kenda Smith.
126. Letter to Donald R. Sarich, Division Manager, San Jacinto River Authority, regarding Administrative Changes to Permit No. TX0054186, San Jacinto River Authority, Woodlands Wastewater Treatment Plant No. 1, dated January 24, 2008, from Willie Lane, Jr., Permits & Technical Section, EPA.
127. Comments from San Jacinto River Authority dated March 2, 2009.
128. Letter to Mark Vickery, Deputy Director, Texas Commission on Environmental Quality, regarding Reviewing the latest version of TCEQ's Procedures to Implement the Texas Surface Water Quality Standards, dated November 22, 2002, from Miguel I. Flores, Director, Water Quality Protection Division, EPA.
129. Fax copy to Phil Jennings, regarding SOAH Docket No. 582-04-1194 (TCEQ Docket No. 2003-1213-MWD, Application by San Jacinto River Authority for Renewal of TPDES Permit No. 11401-001, fax date 12/22/05, from TCEQ Litigation.